

324.5
h28
p96a

MAY 5 1920

SOCIAL COURTS AND PROBATION

**BEING THE ANNUAL REPORT AND PROCEEDINGS
OF THE
NATIONAL PROBATION ASSOCIATION
1919**



**PUBLISHED BY THE
NATIONAL PROBATION ASSOCIATION
ALBANY, N. Y.
1920**

SOCIAL COURTS AND PROBATION

**Annual Report and Proceedings
OF THE
Thirteenth Annual Conference
OF THE
NATIONAL PROBATION ASSOCIATION**

**HELD IN
ATLANTIC CITY, N. J., MAY 30—JUNE 3, 1919**

Published by the
**NATIONAL PROBATION ASSOCIATION
ALBANY, NEW YORK
1920**

"If we work upon marble, it will perish; if we work upon brass, time will efface it; if we rear temples, they will crumble into dust; but if we work upon immortal minds, if we imbue them with principles, with the just fear of God and love of our fellowmen, we engrave on those tablets something that will brighten to all eternity."

Daniel Webster.

"And yet, O my friend, if true opinion in law courts and knowledge are the same, the perfect judge could not have judged rightly without knowledge."

Plato-Theaetetus.

Gen
Dir

NATIONAL PROBATION ASSOCIATION

ORGANIZED 1907

OFFICERS AND COMMITTEES 1919-1920

OFFICERS

President:	EDWIN J. COOLEY, Chief Probation Officer, Magistrates' Courts, New York City.
1st Vice-President:	HERBERT C. PARSONS, Secretary, Massachu- setts Commission on Probation, Court House, Boston.
2nd Vice-President:	CHARLES L. BROWN, President Judge, Mu- nicipal Court, Philadelphia.
3rd Vice-President:	<i>Vacancy.</i>
General Secretary and Treasurer:	CHARLES L. CHUTE, State Probation Com- mission, Albany.

BOARD OF DIRECTORS

MAUDE E. MINER, New York City, *Chairman.*
MARY M. BARTELME, Chicago.
FREDERICK P. CABOT, Boston.
EDWIN J. COOLEY, New York City.
WILLIAM W. DEY, Norfolk, Va.
JOHN J. GASCOYNE, Newark, N. J.
CHARLES W. HOFFMAN, Cincinnati.
JULIAN W. MACK, New York City.
SAMUEL D. MURPHY, Birmingham.
JESSICA B. PEIXOTTO, Berkeley, Cal.
LOUIS N. ROBINSON, Philadelphia.
ARTHUR J. TODD, Chicago.
FRANK E. WADE, Buffalo.

Committee on Finance

MAUDE E. MINER, New York City.
MRS. HARRY BISHOP, Louisville, Ky.
FREDERICK P. CABOT, Boston.
EDWIN J. COOLEY, New York City.
ALFRED C. CROUSE, Cincinnati.
JESSICA B. PEIXOTTO, Berkeley, Cal.

OFFICERS AND COMMITTEES

Committee on Children's Courts

FREDERICK P. CABOT, Boston.
CHARLES L. CHUTE, Albany.
BERNARD J. FAGAN, New York City.
CHARLES N. FEIDELSON, Savannah.
HASTINGS H. HART, New York City.
JOSEPH L. MOSS, Chicago.
SAMUEL D. MURPHY, Birmingham, Ala.
Rev. JOHN O'GRADY, Washington.
HERBERT C. PARSONS, Boston.
JAMES HOGE RICKS, Richmond, Va.
KATHRYN SELLERS, Washington.
ISABELLE SOMERVILLE, Indianapolis.
ARTHUR W. TOWNE, Brooklyn.

Committee on Courts of Domestic Relations

Mrs. MARY E. PADDON, New York City.
EDWARD J. DOOLEY, Brooklyn.
CHARLES W. HOFFMAN, Cincinnati.
JOHN W. HOUSTON, Chicago.
A. SIGMUND KANENGEISER, Newark, N. J.
Rev. ROBERT F. KEEGAN, New York City.
ANNA L. SPIESMAN, Philadelphia.
WILLIAM E. WILEY, Buffalo.

Committee on Rural Probation

Mrs. JENNIE W. ERICKSON, Little Rock, Ark.
C. C. CARSTENS, Boston.
H. IDA CURRY, New York City.
HOWARD C. HILL, Baltimore.
WILLIAM H. JEFFREY, Montpelier, Vt.
EDWARD P. VOLZ, Buffalo.

Committee on Laws and Court Decisions

ALBERT J. SARGENT, Boston.
WILLIAM A. CONNORS, New York City.
FRANK L. GRAVES, Brooklyn.
CLARK E. HIGBEE, Grand Rapids, Mich.
HUGO PAM, Chicago.
JESSE P. SMITH, St. Louis.

OFFICERS AND COMMITTEES

5

Committee on Federal Probation

LOUIS N. ROBINSON, Philadelphia.
HENRIETTA ADDITON, Washington.
EDWIN L. GARVIN, Brooklyn.
JOHN J. GASCOYNE, Newark, N. J.
GEORGE A. HEANEY, Washington.
Rev. T. J. SHEALY, New York City.
FRANK E. WADE, Buffalo,
CHARLES T. WALKER, Philadelphia.
Mrs. H. O. WITTPENN, Jersey City, N. J.

Committee on Extension of Probation

JOSEPH P. MURPHY, Buffalo.
J. C. ASTREDO, San Francisco.
H. F. BRETTHAUER, Shreveport, La.
Mrs. MARY S. BURNHAM, Portland, Me.
JOHN P. FITZGERALD, New York City.
JAMES B. HALBERT, Brooklyn.
LEE MILES, Little Rock, Ark.
JOSEPH W. SANFORD, Washington.

Committee on Standards of Probation

JAMES J. RYAN, New York City.
CLAUDE W. BLAKE, Denver, Col.
JOHN I. COTTER, New York City.
HERBERT L. LOEPERE, Buffalo.
MORRIS MARCUS, New York City.
JAMES P. RAMSAY, East Cambridge.
WILLIAM M. ROUSE, Philadelphia.
HENRY W. THURSTON, New York City.
STEPHEN D. WILLIAMS, Detroit.

The next Annual Conference of the Association will be held in
New Orleans, April 13-20, 1920.

TABLE OF CONTENTS

1. Introduction	1
2. Methodology	2
3. Results	3
4. Discussion	4
5. Conclusion	5
6. References	6
7. Appendix	7
8. Glossary	8
9. Index	9
10. Bibliography	10
11. Acknowledgments	11
12. Author's Note	12
13. Contact Information	13
14. Disclaimer	14
15. Copyright	15
16. Privacy Policy	16
17. Terms of Service	17
18. About Us	18
19. Press Release	19
20. Media Kit	20
21. Investor Relations	21
22. Sustainability	22
23. Diversity & Inclusion	23
24. Community Engagement	24
25. Environmental Impact	25
26. Social Responsibility	26
27. Governance	27
28. Risk Management	28
29. Compliance	29
30. Security	30
31. Data Protection	31
32. Intellectual Property	32
33. Trademark	33
34. Patent	34
35. Copyright	35
36. Trade Secret	36
37. Confidentiality	37
38. Non-Disclosure Agreement	38
39. License Agreement	39
40. End User License Agreement	40
41. Privacy Policy	41
42. Terms of Service	42
43. About Us	43
44. Press Release	44
45. Media Kit	45
46. Investor Relations	46
47. Sustainability	47
48. Diversity & Inclusion	48
49. Community Engagement	49
50. Environmental Impact	50
51. Social Responsibility	51
52. Governance	52
53. Risk Management	53
54. Compliance	54
55. Security	55
56. Data Protection	56
57. Intellectual Property	57
58. Trademark	58
59. Patent	59
60. Copyright	60
61. Trade Secret	61
62. Confidentiality	62
63. Non-Disclosure Agreement	63
64. License Agreement	64
65. End User License Agreement	65

TABLE OF CONTENTS

	PAGE
OFFICERS AND COMMITTEES.....	3
ANNUAL REPORT OF THE SECRETARY.....	9
ANNUAL REPORT OF THE TREASURER.....	15
PROBATION AS A JURIDICAL POLICY—Judge Charles W. Hoffman.....	17
REPORTS FROM STATE SECRETARIES—	
Alabama, Ralph S. Barrow.....	29
California, Harold K. Vann.....	29
Delaware, Elmira C. Runyon.....	30
Florida, James C. Lanier.....	31
Illinois, Joseph L. Moss.....	31
Kentucky, Mrs. Emma B. Hegan.....	32
Louisiana, H. F. Bretthauer.....	33
Maine, George W. Grover.....	34
Maryland, Howard C. Hill.....	34
Missouri, Jesse P. Smith.....	38
Nevada, E. J. Milne.....	39
New Jersey, C. W. Irwin.....	40
New York, Charles L. Chute.....	43
North Carolina, R. F. Beasley.....	44
Ohio, A. C. Crouse.....	45
Oklahoma, Mrs. Mabel Bassett.....	47
Pennsylvania, Dr. Louis N. Robinson.....	47
South Carolina, Judge C. J. Kimball.....	49
Virginia, Judge James Hoge Ricks.....	53
Washington, G. W. Dick.....	53
Province of Ontario, J. M. Wyatt.....	54
Province of Alberta, A. M. MacDonald.....	55
ADMINISTRATIVE PROBLEMS IN PROBATION WORK—Edwin J. Cooley.....	57
A STATE CLEARING HOUSE OF ABNORMAL CHILDREN—Dr. Henry H. Goddard.....	68
THE RELATION OF PROBATION OFFICERS TO THE POLICE AND PROSECUTING AUTHORITIES—John A. Leach.....	72
THE COURTS AND THE PEOPLE—Judge Charles L. Brown.....	78
WHAT THE NATIONAL PROBATION ASSOCIATION SHOULD MEAN—John J. Gascoyne.....	82
SHOULD THE SCHOOLS TAKE OVER THE WORK OF THE CHILDREN'S COURTS—	
Henrietta Additon.....	84
Judge James Hoge Ricks.....	98
Helen T. Woolley.....	105

	PAGE
REPORT OF THE COMMITTEE ON COURTS OF DOMESTIC RELATIONS—Judge Edward J. Dooley, Chairman.....	113
REPORT OF THE COMMITTEE ON RURAL PROBATION—Charles G. Goff.....	120
THE DEVELOPMENT OF A STATE SYSTEM OF PROBATION AND PAROLE— Herbert C. Parsons.....	125
THE COUNTY PROBATION SERVICE IN ACTION—Joseph P. Murphy.....	135
ACTIONS OF THE CONFERENCE.....	153
OFFICERS AND BOARD OF DIRECTORS ELECTED.....	154
RESOLUTIONS ADOPTED.....	155
BY-LAWS.....	157

ANNUAL REPORT

To the Members of The National Probation Association:

Progress in 1909

The extension of the probation system and its more effective application throughout the country has constantly advanced in spite of war and reconstruction. This statement will not be challenged. The principle of conditional release by the courts of early and reclaimable offenders under supervision is so generally accepted and has proven so rational and effective when properly applied that it is coming more and more to be used.

Concurrently, the movement for socializing the machinery of the courts, especially in the establishment and extension of juvenile courts and domestic relations or family courts, has advanced rapidly. Undoubtedly there has been greater interest and progress in the development of juvenile and domestic relations courts during the last few years than at any time since the movement for these courts first began. The greatest progress has been shown in the southern States. Mississippi and North Carolina have enacted legislation providing for a State-wide system of juvenile courts. Other States during the past few years have extended the age limit for children in these courts from sixteen to eighteen years, and have revised their legislation to provide for paid probation officers and other administrative improvements. In Ohio the movement for family courts begun in Cincinnati has been extended to three other cities. Everywhere there have been improvements in the administration and enforcement of existing laws providing for these socialized courts.

The Work of the Association

General Work:

In this developing movement for effective probation service and socialized courts the Association has played its part. It has served as a clearing house for information on these subjects. The secretary has answered numerous requests for information and litera

ture. Drafts of laws providing for adult probation and juvenile courts have been prepared and sent upon request to inquirers in many states. A number of these have been before the Legislatures. In 1918 the model general probation bill of the Association, with few modifications, was enacted in the State of Virginia. Early in 1919 the secretary prepared a complete juvenile court act for the State of North Carolina at the request of the National Child Labor Committee. This act with but few modifications passed the Legislature and is now in force throughout North Carolina. The act established a juvenile court in each county of the State, with paid probation officers and provision for the detention of children.

The Annual Conference:

The annual meeting and conference of the Association held in connection with the National Conference of Social Work has been increasing in attendance and interest each year. The Thirteenth Annual Conference held at Atlantic City was by far the largest and best ever held. The registration numbered 177. Unusually live and practical discussions were held. Especially noteworthy were the discussions on "The Relation of the Schools to the Children's Courts," and on "Administrative Problems in Probation Work." The papers presented at the conference are published herewith.

Publications:

The Annual Report and Proceedings for 1918 were published and sent to all of our members. A leaflet on the work of the Association was published and this, together with pamphlets previously published, including the National Directory of Probation Officers, published in 1918, were sent out. This Directory should be completely revised and republished in the near future.

The Federal Probation Bill:

The campaign for the much needed Federal probation law was revived during 1919 following the war and is now in active swing. Strange as it may seem, while probation laws of some kind are

in effect in every state in the Union and in most civilized countries, and while Congress has provided for a probation system in the courts of the District of Columbia, the United States District Courts throughout the country have not been given the power to use probation or even the suspended sentence in any case. The Association has completely revised its bill and had it introduced in both branches of Congress. As this report goes to press the support of the Attorney General and a favorable report from the Judiciary Committee of the House of Representatives seems assured. All the members of the Association will be asked to participate in this most important campaign.

Work of the Committees:

The Association has appointed special committees each year. Several of these committees have done far more than to prepare a report to be presented at the annual conference.

The Committee on Children's Courts has co-operated closely with the Federal Children's Bureau in every stage of the investigation of children's courts throughout the country which is still in progress. Representatives of the committee and the Secretary have collaborated in the preparation of the recent valuable report on children's courts based on a questionnaire study recently published by the Children's Bureau. The Association urged the making of this study and has constantly urged the Children's Bureau to make field investigations of the courts in connection therewith. Recently this work has been started by two agents of the Bureau. The Bureau has begun a study of the Buffalo Children's Court, to be followed by a survey of the courts in New Orleans, St. Louis, Minneapolis, Cleveland, San Francisco, Seattle and Boston. The early work of this committee resulted in the publication of Baldwin and Flexner's "Juvenile Courts and Probation." Its subsequent work should lead to the concrete carrying into effect of the high standards which have been set.

The Committee on Courts of Domestic Relations, under the chairmanship of Judge Hoffman, advanced the idea of the family court to embrace jurisdiction over all matters relating to the

family, including juvenile cases, parental neglect and delinquency, non-support and divorce. Progress has been made in the establishment of such courts in several states, and the advisability of close co-operation between children's courts and courts of domestic relations has been brought to the serious attention of the whole country. This committee is making active plans for the continuation of its work.

Other committees which have done constructive work are those on Rural Probation, on Laws and Court Decisions, and the Committee on Standards of Probation.

Membership:

The active membership of the Association now numbers 649. Efforts have been made to secure renewals and new members during the past year which have met with some success. Undoubtedly the membership and support of the Association could be largely increased if an intensive campaign could be carried on. The number of probation officers and others interested in the work of the Association is very large and growing.

With the change in the fiscal year to end on March 31st all membership dues received hereafter will be credited for the current fiscal year and all members will be asked to renew their membership on April 1st.

New By-Laws:

At the last conference the Association adopted revised by-laws reorganizing the Association and providing for a continuing Board of Directors of thirteen members to have general direction of the work of the Association and administer its funds. Three members of the Board are elected each year for terms of four years each. The Board elects its chairman and the general secretary and treasurer of the Association. The president and vice-presidents are elected each year by the membership. It is believed that this arrangement, while continuing the conferences as a self-governing body, affords a stable and responsible organization for conducting the finances and carrying on the year round work of the Association.

Future Work and Needs

The Association has recently published a proposed "program for the future." This program proposes that the Association shall carry on actively the following work:

1. To serve as a clearing house for information on probation and specialized courts.
2. To assist actively in the drafting and enactment of more adequate probation and specialized court laws and in their enforcement. In this work, so far as advisable, visits and field work should be carried on by the staff in selected localities, especially in those where the need is greatest and where interest has already been aroused.
3. To immediately carry to conclusion the active campaign which has been started to secure an adequate probation law for the Federal courts of the United States.
4. To publish and distribute the Proceedings of the 1919 conference; to prepare an up-to-date edition of the National Directory of Probation Officers, and to publish other reports and leaflets to be sent to all members and to be used in educational work.
5. To make investigations, prepare reports and co-operate with other organizations through the committees of the Association and staff.
6. To largely increase the membership of the Association by a campaign for members to be carried on in all parts of the country.
7. To secure as soon as possible adequate financial support so as to provide for the employment of a competent full-time general secretary and necessary office staff.

Among the above the last mentioned is, of course, the most fundamental. The Association can no longer continue, much less enlarge its work without securing funds for the employment of a paid secretary and staff. If a fund of \$10,000 could be secured, the same to be guaranteed for two or three years, the Association could thereafter launch itself and develop into a strong national organization. With the growing interest in this work all over the country the outlook for a large membership and a firm, democratic basis of support is encouraging. The co-operation and assistance of every member of the Association and of all others

interested in making the courts social agencies for the proper treatment and prevention of delinquency with all its consequent misery and social waste is urgently requested at this time.

Respectfully submitted,

CHARLES L. CHUTE,

General Secretary.

TREASURER'S REPORT

The Board of Directors at a meeting on October 22, 1919, voted to establish the fiscal year of the Association to end on March 31st. Previously, the Treasurer had closed his accounts on the first day of the Annual Conference, a date which varied from year to year. The last published treasurer's report covered the period from June 5, 1917, to May 15, 1918, inclusive. The report which follows covers the period from May 16, 1918, up to the end of the last fiscal year on March 31, 1919, inclusive.

CHARLES L. CHUTE, TREASURER

IN ACCOUNT WITH THE NATIONAL PROBATION ASSOCIATION

MAY 16, 1918, TO MARCH 31, 1919, INCLUSIVE

Receipts

Balance on hand, May 16, 1918.....	\$87 42
Membership dues and contributions received at the Annual Conference at Kansas City, May 16-20, 1918.....	93 10
Membership dues and contributions received from May 20, 1918, to March 31, 1919, inclusive.....	368 40
	<hr/>
Total	\$548 92

Disbursements

Postage	\$53 95
Telegrams	1 50
Printing Directory of Probation Officers.....	46 25
Printing letter heads	8 00
Printing leaflet	10 50
Printing envelopes	6 00
Printing receipts	4 25
Clerical Assistance	15 25
	<hr/>
Total	145 70
	<hr/>
Balance.....	\$403 22

PROCEEDINGS
OF THE
THIRTEENTH ANNUAL CONFERENCE
OF THE
NATIONAL PROBATION ASSOCIATION

INTRODUCTORY NOTE

The following proceedings contain only the more important addresses and transactions of the Conference. As no stenographic report was secured we are indebted to the speakers who supplied written papers for their addresses.

PROBATION AS A JURIDICAL POLICY

CHARLES W. HOFFMAN, JUDGE, COURT OF DOMESTIC
RELATIONS, CINCINNATI, OHIO

In 1916 a decision of the United States Supreme Court in the case of *Ex parte United States Petitioner*, known as the Killits case filled thousands of homes with dismay and horror. Following the practice of probating offenders against the law the Federal courts had placed thousands of men and boys on probation. The Killits case held that probationary power cannot be exercised by Federal judges in the absence of congressional legislation. The case was suspended for a while and the pardoning power of the President invoked; it was thus that nothing short of a social calamity was averted. The President in 1917 issued a blanket pardon to several hundred convicts whom the Federal courts had released on suspended sentence or probation in past years and most of whom had "made good."

The State courts have been more or less divided on this question. In some jurisdictions it has been held that the court has inherent power to place convicts on probation; in others this power is

denied. Irrespective, however, of this division of opinion we can clearly observe that there is a tendency on the part of jurists to discriminate between the "judicial development of the principles" of the civil law and the criminal law. The enactment of the codes of civil procedure, eliminating the unjustness and severity and the fictions of common law pleading appear to be the crowning achievement of the legal profession, which can point to this reform only as one that originated within itself. Neither the criminal common law or statutory procedure has fared as well. In fact, it appears in modern times that the common law procedure was more flexible than the present procedure. At any rate while the Federal court in the *Killits* case inferred that it did not intend to hold that the criminal procedure was not subject to change through judicial development, the fact remains that the criminal procedure has not been improved or modified with changing conditions, and that the same harsh, rigid, unscientific processes obtain in the courts today as obtained in the courts of the late eighteenth and early nineteenth centuries.

Probation as a juridical policy does not prevail to the extent that we are sometimes led to believe by a survey of the probation laws of the various states. In the United States as a whole there has been no widespread change of the system that keeps alive the spirit of retribution and hate and that indiscriminately sentences convicts to the workhouse or penitentiary, thus practically destroying the convicts and pauperizing their families.

Probation as a juridical policy has been adopted in practice in but a few states and in these states it has been in the larger cities only that any effective work has been accomplished in the disposition of those who have committed felonies or lesser offenses.

This Association has been pleased to report that all the states of the Union have either adult or juvenile probation laws. It will be found, however, that except in two states and in two or three of our larger centers of population these laws are partially, if not wholly, ineffective in accomplishing the purpose for which they were enacted. In fact, although they are upon the statute books, they have not become a part of a juridical policy that looks toward a sane and scientific treatment of crime and criminals.

In some states probation laws are of so little significance that the courts and prosecutors are either not conscious of their existence or altogether ignore them. This condition arises by reason of the traditional conservatism of the bench and bar which has always consistently opposed, except in one instance, any change in legal practice however ancient in origin or unadapted to modern conditions; and by reason, too, of the failure of the exponents of probation to convince the public that probation conserves human happiness and affords greater protection to life and property than is possible under the prevailing system.

That the probation principle may become dominant and embodied in the law in such fashion that it cannot be ignored or rendered inefficient, it is imperative that the defects of the old system be published and its inability to conserve fallen childhood, manhood and womanhood be made manifest.

A critical examination of the criminal codes will reveal at once that they have contributed but little in the past to the general welfare of state or the social uplift of society. Their influence has been of a negative rather than a positive nature. Constructed on the ostensible and proclaimed principle of prevention and reformation, retribution has been the controlling motive and the courts with eyes blinded have meted out punishment both to the strong and to the weak in mind, body and estate; without favor to either one or the other. Justice cannot be measured by a yard stick or any fixed standard known to science. A law cannot fix the degree of culpability that attaches to an act, it can only declare that the act itself is sufficient evidence of its culpability; this prevents the consideration of particular cases and therefore a miscarriage of justice has been a distinguishing feature of the criminal courts for all time past.

Criminal cases cannot be considered generally, as enjoined by a fixed code, and justice administered. Every case is of particular or special import, and it cannot be reached by fixed rules. This was obvious to social workers so early as 1812, when the Quarterly Review of England stated:

"It is a truth we all believe that known and written laws are the only safeguard of liberty, justice and public order. It

is another as little to be denied that no provisional wisdom can draw out a plan of statutes so complete in the enumeration of the lower genera and species of crime as to present a definite idea of the guilt and measure of punishment that shall tally exactly with the real case and reduce the whole affair of justice to a technical reference to a statute book. A legislative Linneaus is out of the question. The operose detail could never be carried far enough for the end in view, though it might soon be done to an extent which would cramp the interests of justice."

The rigidity of the criminal codes and procedure has made it impossible for the courts to interpret their work in any of its various phases. This is of particular interest at this time when so called crime waves are observed in rural and city districts.

The court lacking knowledge except that derived from a rigid code of rules having no particular application to individual cases and forbidden to make any inquiries in respect to the causes that bring offenders to the bar of justice, has no opinions and stands mute when asked the cause of any social phenomena, especially a "crime wave." Its defenders, among whom are prosecuting attorneys, attribute "crime waves" in most cases to the probation policy. This opinion is fairly representative of all other opinions of the advocates of the present system. There has been an increase in crime in practically every large city of the United States, in cities having fairly efficient probation departments and in cities having none.

In Buffalo it is said that probation has accentuated the "crime wave." This statement is made regardless of the fact that crime waves are not peculiar to Buffalo and that the statement cannot be supported by one incontrovertible fact. Men of science have not been able to ascertain the exact cause of an increase of crime at infrequent intervals; to assert that it arises by reason of probation in a particular city or cities is unworthy of the reasoning ability of any educated person, even a State's attorney.

After a trial of more than a century and a half a social or political institution ought to be able to justify its policy by its accomplishments. In this the criminal court has failed; today its methods are the same as of old, it continues to send offenders to prison with no knowledge whatever of the causes that impelled

them to offend; its policy in its treatment of the convict and his family has had a deteriorating effect on the community; it has cast upon the state and society a tremendous financial burden with no commensurate returns. Ohio alone spends \$10,000,000 every year for the prevention, detection and punishment of crime. The expense in other states is no doubt proportionately as great. An institution or court that deals exclusively with crime ought to be able to adduce some evidence of facts showing how society is benefited by its policy and thus justifying so vast an expenditure.

It may be said that by filling the penitentiaries and work-houses, and by a stern, rigid enforcement of the law by imprisonment, numberless potential law breakers have been deterred from committing offenses. This again is simply an opinion based on no established facts. In an address in Parliament John Bright in 1867 stated that if the institutions that controlled behavior were reckoned at 100, the criminal courts and penal institutions would not rate higher than 5.

The history of criminology reveals that the infliction of the penalties provided by the statutes has not deterred other offenders. Hardly more than 100 years ago there were in England 100 or more crimes punishable by death. The debates in Parliament disclose that the opponents of criminal reform urged the same arguments against reducing the number of capital offenses that are today urged against probation. Today there is but one crime for the commission of which capital punishment is inflicted and the deterring theory advocated by the opponents of reform of earlier days has been exploded.

The same can be said of the work of that great apostle of prison reform, John Howard; it was believed by men whose names have been handed down to us as the embodiment of all that is learned in law or politics, that if the vile, dark, loathsome jails of old England ceased to exist the Government would fly into chaotic repellant particles. The jails were cleansed and England made happier and better. In our day both history and science sustain the opinion that we could dispense with one half, if not more, of the cells and dungeons that are now filled, with no injury to society or the individual and with tremendous benefit to the state,

not in the matter of expense only but in the conservation of human material.

It is said that the jails reform criminals, but this doctrine, too, is not sustained by the facts. That many convicts do reform is certain, but reformed convicts are invariably of the type that could have been reformed without being imprisoned; a reformed convict who has been able to overcome the handicap of the stigma of imprisonment has within him the material out of which a good citizen could have been made without the cost and expense of his imprisonment. But what of the number who are not reformed? Is it not of common observation that multitudes of convicts normal in mind and body have failed to reform and on their release devastated society? The penitentiaries have numberless convicts who are serving second, third or fourth terms. If imprisonment reforms why this failure? The public may well ask the advocates of our present criminal system how many terms of imprisonment are necessary to reform and when they intend to prevent the repeaters from committing robbery and burglary and murder or other felonies. In reply it may be stated that many of the repeaters are irresponsible because of feeble-mindedness or other mental defect; but what solution is suggested by the courts for this problem?

It is declared by the most conservative authorities that 20 per cent or more of the inmates of penal institutions are feeble-minded, these prisoners have been committed because the courts are not empowered by law to do otherwise. Whether the sentence is determinate or indeterminate, the term of imprisonment finally expires and the defectives are permitted to ravage society. In these days of social unrest following a season when the mandates of the law lay lightly on all classes of men, it is probable that a great part of the crime waves of which we hear so much, is caused by weak willed, psychopathic or feeble-minded individuals who are unable to resist the impulses of the moment.

The conventional and traditional mode of trying law breakers does not admit of any consideration of the mental status of the defendant except when it takes the form of insanity. It is trifling with the understanding to claim that the courts exercise any rea-

soning process in the trial of a feeble-minded offender. That his feeble-mindedness could be determined within a brief period is unquestionable, that he will continue to commit depredations on life and property is almost beyond doubt, yet he is tried as a normal person and after imprisonment released. It borders on the ridiculous to assume that society is protected in any way by such proceedings; in the light of all that science and medicine has revealed on the line of pathological and psychopathic states as affecting conduct, the advocates of our criminal courts still continue the farce of trying the offense and not the offender.

Probation meets all the objections that can be urged against the old system. Probation does not propose that the repeaters and the weak-willed and the feeble-minded shall be released to prey on society. If an offender is so hardened that he cannot be cured or reformed, probation proposes that he shall not be released at any time.

Probation signifies that all who are charged or convicted of offenses shall be given intensive neurological and psychological examinations and their disposition determined on the basis of these examinations.

Probation demands that the sending of mental defectives and the physically infirm to the workhouses and penitentiaries for a definite or indefinite term shall cease. There is sufficient scientific knowledge and information extant concerning defectives to warrant the discontinuance of a policy that jeopardizes life, destroys property and burdens the state with taxation.

Probation has as its aim the reformation of normal-minded offenders without the necessity of branding them as convicts; pauperizing their families and so disgracing their wives and children that they are made outcasts of society. It does not mean the "turning loose" of criminals as some of our prosecutors are always pleased to state; it means that an offender shall be given a chance to reform under skilled supervision and under the most favorable circumstances before passing final sentence on him. If after this attempt to save him he still persists by reason of some cause known or unknown to offend probation recom-

mends that he be segregated until all question of his reformation has been removed.

Probation methods as distinguished from legal methods in the treatment of crime and criminals are founded on science and the facts of a particular case rather, than on legal presumptions and rules of general application.

Probation as a principle or juridical policy has not failed in any jurisdiction where it has been intelligently applied. In Buffalo 46 per cent of all offenders are placed on probation, 71 per cent of whom are discharged with improvement. New York State has 14,456 persons on probation, a greater number than in all the penal institutions, yet crime waves are no more prevalent in New York than other states. Massachusetts, the pioneer of probation, has 33,000 on probation and proclaims that she has not built a prison cell in 20 years and that half the cells she has are vacant. The reports from Philadelphia, Chicago and other cities in the United States and Canada having probation are as flattering as those mentioned.

In 1918 in Ohio 1,053 boys were paroled from the reformatory at Mansfield and 745 from the penitentiary, with the result that 95 per cent have made good. Who will gainsay that if 95 per cent of these men and boys were redeemed after imprisonment that the same splendid results could not have been achieved without all the suffering and disgrace that imprisonment imposed upon them? The success of the parole system emphasizes the soundness of the doctrine of probation.

Under probation as a juridical policy it is possible in all cases to consider "social values."

In the consideration of social or economic values in particular cases it is possible under probation to subserve the property interests of the victim of a crime. The invariable policy of probation departments is to demand that the offender make restitution and pay all claims of the injured. "Other evidences of the increasing use and beneficent effect of probation are shown," says Herbert Parsons, Probation Commissioner of Massachusetts, "in the collection by probation officers in the form of restitution, suspended fines in lieu of imprisonment, and non-support pay-

ments. The total for these in 1909 was \$49,067. In eight years it has grown to a total of \$418,315, in 1916. The amount of the collections is nearly double the cost of the maintenance of the service. These figures argue a very substantial economy, measured by dollars, and only suggest that wiser and more valuable economy which may be described as human salvage."

The person who has been injured by a crime has always been ignored and his passion for vengeance heightened by the destruction of his property and the loss he has sustained. This has kept active the primitive instinct of hostility against a law-breaker and prevented, more than any other factor, the development of a humane criminal policy, judicial or administrative. When the public comprehends that probation pays economically and socially there will be so great a change of attitude toward crime and criminals that this sane reform will meet with no further opposition.

Galsworthy, in his play, "Justice" has illustrated the inability of the law to administer justice in particular cases; this cannot occur where probation prevails; all material and human interests can be subserved and a judge will not be obliged to stultify himself by a pretended exercise of mercy which under the law he is not authorized or empowered to extend to the prisoner. The essence of probation is its humanitarianism which is in no way allied with what is vulgarly termed "mollycoddleism." Probation seeks to save men, to rehabilitate rather than destroy; to preserve the family; to protect society and the state; to build up a new social order that shall be founded on the principles of brotherhood rather than that of vindictiveness and hate; to eliminate the spirit of retribution which in fact permeates the criminal courts, and substitute therefor true prevention and reformation which have lain dormant 'neath the chaotic mass of an antiquated legal procedure.

The achievements of the juvenile court during the past eighteen years are indicative of that which may be accomplished when the principle of probation becomes an established and settled policy in the criminal courts.

"Important as are the immediate services of a juvenile court,"

says Miss Lathrop, "to the children who are daily brought before it for protection and guidance, because the family protection has broken down and there is no family guidance; painstaking as are the court's methods of ascertaining the facts which account for the child's trouble, his family history, his own physical and mental state; hopeful as are the results of probation, yet the great primary service of the court is that it lifts up the truth and compels us to see that wastage of human life whose sign is the child in court; for the first time in history a court of law, the so-called juvenile court, reveals a great social situation and thereby bestows the greatest aid toward social justice which this generation comprehends—the truth made public."

Professor George H. Mead, writing in the *American Journal of Sociology* declares that: "The juvenile court is but one instance of an institution in which the consideration of facts which has been regarded as irrelevant or exceptional has carried with it a radical change in the institution." He adds that the material with which the social scientist and the voluntary social workers are occupied, has forced its way into the institution of the court itself, compelling such a change in method that the material can be actually used.

The children's court may not have the facilities for saving the child, and it may not have succeeded in many jurisdictions in caring for the child or providing proper guardianship; in many jurisdictions it may not have used the scientific or social material of which Professor Mead speaks, yet it has demonstrated that all children of whatsoever condition in life can be saved. The juvenile court has nearly reached the fulfillment of its mission and it will not be long, we trust, until there will be practically no legal procedure so far as the care and treatment of a delinquent child is involved. The court has pointed out that the problem of delinquency in a great measure is that of education, and that the schools have still a higher function than that of training normal children only. The educational institutions must take up the greater part of the work of training unfortunate children who by reason of well known causes have strayed from the path of right conduct.

The Federal Children's Bureau has centered the social thought of the country on the child. It has determined that the children of the nation shall not be handicapped in any way and that none shall perish. Yet multitudes of boys and girls are handicapped and do perish because of their being branded with the stigma of delinquency which in the minds of the masses is synonymous with crime. Elaborate facilities are afforded for the intensive care and treatment of all classes of children except delinquents; notwithstanding the protestations of social workers, probation officers and judges to the contrary, a delinquent child is not given the chance to which he is entitled under the law and if his offense is sufficiently great he is made an outcast and his possibilities for success in life destroyed. The principle of the juvenile court is to shield the child; to save him from the harshness of a trial; to grant him the protection, the care, and the guardianship of the state when the heavy hand of the law would seize him in its relentless grasp.

The principle is beneficent in all its implications, yet it is shorn of its power and strength by the appearance of lawyers in the court, by the retinue of constables, police sheriffs and bailiffs that hovers over practically every juvenile court in the country; and by the neglect to provide for mental and physical examinations of children; by the custom of emphasizing the particular act the child has committed and by the disposing of him solely in reference to that act. It is probable that the report of the survey made of the juvenile courts by the Children's Bureau on request of this Association will reveal that these conditions prevail generally throughout the country.

Probation as a juridical policy has become an integral part of the juvenile court. It has developed until it can point out the way of conserving childhood by transferring its work to administrative agencies in which neither the term "court" or "delinquent" is heard and which are able to administer the treatment that science and knowledge dictate.

The change that will eventually take place in the adult criminal courts will be as great as that which has been wrought in the juvenile courts. Probation, conceded to be a sane sound

reform, is the first step in this direction: when it becomes a juridical policy and is so understood by judges and lawyers more importance will then be attached to the problem of obtaining results, than that of merely placing punishment. An "exaggerated estimate will no longer be placed on the import of the criminal but a growing consciousness of social and economic interests will arise which will change the institutional conception of the criminal courts." Judge Charles L. Brown of Philadelphia well observes that, "Originally probation was a substitute for prison commitment, a method by which the first offender could be given another chance. It has grown into a system of court procedure and into a juridical policy that has worked a marvelous and beneficent change in our whole attitude to misdemeanants as well as the criminal courts."

While the change of attitude mentioned by Judge Brown may not be general throughout the country, it is fairly certain that it will finally prevail. It is the purpose, as I understand it, of this Association to labor toward the realization of this most commendable end. The fulfillment of our hopes may be earlier if we pursue the work with sincerity and zeal, ever bearing in mind that while our procedure must be founded on the cold and unfeeling processes of science, the ultimate object is to protect society; to aid and comfort and possibly to save a class that for all time has been the object of hostility, vindictiveness and revenge. We may thus contribute a little to the sum of human happiness.

REPORTS FROM STATE SECRETARIES

(State secretaries have been appointed and are now serving in forty-two states and in three provinces of Canada. Portions of written reports, of general interest, submitted by a number of state secretaries are printed herewith.)

ALABAMA

REPORT BY RALPH S. BARROW, SUPT. ALABAMA CHILDREN'S AID
SOCIETY, BIRMINGHAM

There have been no important developments in Alabama during the past year relating to probation work. No new enactments, simply a strengthening throughout the State of the enforcement of our juvenile probation work. Our proposed department of child welfare, which is fairly well assured to us at our summer session of the State Legislature, has as one of its functions the development and standardizing of our juvenile probation work.

CALIFORNIA

REPORT BY HAROLD K. VANN, CHIEF PROBATION OFFICER,
JUVENILE COURT, LOS ANGELES

The California Probation Officers' Conference was held, in conjunction with the State Conference of Social Agencies, at San Jose in April of this year, at which time probation officers from all over the State assembled and gave one day to a special program on probation work. It was one of the most interesting and helpful sessions that has ever been held in California. The term of Harold K. Vann, president of the organization, having expired, Mr. O. F. Snedigar, chief probation officer of Oakland, was elected president for the ensuing year. Mr. C. W. Mathews, of Riverside, was made first vice-president, and Mr. Otto Kramer, of Santa Barbara, was elected treasurer.

There has been a large increase in juvenile work all through the State, caused, to a large extent, by war conditions. The State Legislature passed several bills which will be helpful to juvenile workers throughout the State, raising the amount of money which a court may order paid for the care of a child from \$11 to \$20, and the amount for orphans and half orphans, which is allowed by the State, from \$75 and \$100 per year to \$120 per year. It has also provided for the establishing of a woman's industrial farm, and a 24-hour school for boys.

Riverside County has finished a new and splendidly equipped detention home, with individual rooms and segregated playgrounds. Other counties are preparing new detention homes, and throughout the State there appears to be a desire to put all the work on the highest plane possible.

DELAWARE

REPORT BY MISS ELMIRA C. RUNYON, PROBATION OFFICER,
JUVENILE COURT, WILMINGTON

During the past year there have been several changes in the Juvenile Court for the city of Wilmington. After years of faithful service Mr. E. Ross Farra resigned as chief probation officer. He had been the chief probation officer of the Juvenile Court ever since the Court was organized. Judge William S. Prickett, in March, 1919, appointed Mr. J. Paul Green as the chief probation officer.

A law was passed at the State Legislature this year, allowing the chief probation officer, assistant chief probation officer, and the two women probation officers an increased salary, to take effect July first.

Partly due to the unsettled conditions of affairs we did not ask this year for any new laws relative to the extension of our authority or some corrections and additions to the present law that we feel we need so much. This we hope to do at the next session.

Adult probation this year received special attention at the Legislature. We have now a probation officer, Mr. Frank Stout, for the Court of General Sessions for New Castle County. He began his duties the 1st of May, 1919.

The judges have realized the splendid work that can be accomplished in this way for the man or woman who has made a false step. We feel there will be an opportunity for great work in this field of probation work. The other two counties, Kent and Sussex, will also have an officer appointed for their courts in the near future when needed.

FLORIDA

REPORT BY JAMES C. LANIER, PROBATION OFFICER, JUVENILE COURT, JACKSONVILLE

There has been no increase in the number of probation officers appointed in the different counties of the State. The Legislature now in session has created a juvenile court in Hillsborough County, which includes the city of Tampa, which is the next largest county after Duval in the State of Florida. They have a juvenile detention home in that county and are doing good work under the direction of Miss Annie B. Bass, probation officer. We are expecting the Legislature to increase the compensation of the judge, officers and assistants in this court, but no increase in the number of employees has been asked for.

From May 1st, 1918, to April 30th, 1919, there were 823 children handled in the Juvenile Court of Duval County, 743 delinquents and 80 dependent. This shows an increase of about 25 per cent over the previous year's report, and is due particularly to war conditions, but mostly to the increase in population in this county by the shipyards and other war activities which brought additional families into the community. The work in general over the State is moving along in a satisfactory manner.

ILLINOIS

REPORT BY JOSEPH L. MOSS, CHIEF PROBATION OFFICER,
JUVENILE COURT, CHICAGO, ILL.

The laws of Illinois provide for two distinct sets of probation officers: (1) adult probation officers appointed by and working under the direction of the judges of the criminal courts of each county, and (2) juvenile probation officers. Juvenile probation officers are appointed by the county judges throughout the State, with the exception of Cook County (Chicago), where children's cases come under the jurisdiction of the Circuit Court.

There are 102 counties in Illinois. In about 15 counties the juvenile court work is well organized. In 50 additional counties a juvenile probation officer has been appointed and does what

children's work there is done. In the remaining counties children's cases are looked after by the county supervisor.

Adult probation officers have been appointed, some on a monthly and some on a per diem basis, so far as payment is concerned, in approximately 50 per cent of the counties of the State.

We have no State Probation Commission in Illinois, but we have an active State Department of Public Welfare which has supervision over all state welfare activities and which plans to establish a children's division and also a division of probation.

There has been no new legislation in Illinois affecting probation with the exception of a bill which has passed the Legislature (now in session), raising the maximum salary of adult probation officers from \$1,500 to \$2,000 per year.

KENTUCKY

REPORT BY MRS. EMMA B. HEGAN, CHIEF PROBATION OFFICER,
JUVENILE COURT, LOUISVILLE

I districted the state, communicated with the county judges, who in all instances are juvenile judges, visited the courts that were close enough for me to take the time and found Kentucky's needs far surpass her achievements in social work the last year.

With the exception of three juvenile courts in Kentucky there is no paid woman worker connected with them. For this reason you readily see the girl problem, and the young children have not been handled to the best advantage. In defense I must state that Kentucky is teachable and eager to learn the A, B, C's of juvenile court and probation work.

We who were fortunate enough to get beyond our mountains have not been fortunate enough, many of us, to lose that mountain trait, that we must be taught by one of our own. Hence it is Kentucky's problem to have those who do understand juvenile court and probation work make a survey of the state and explain to them their needs from a geographical as well as a social standpoint.

Probation work is very inadequately done except in the Louisville court. What we have done this past year has been to change

the "boys gang" into a scout troupe whenever possible, permitting the leader of the gang to be the leader of the troupe. This has been done successfully.

Those boys who were not athletically inclined, but who heard the call of the river when spring fever came upon them and went fishing rather than to school, we changed that lot into a club which meets in a shed; president, vice-president and other officers are elected and fishing is done with permission on Saturdays with lunch baskets amply filled by the mother who appreciated the visits of the probation officer more than the truant officer which had become a necessity.

Investigation has taken the place of probation during the past year for our older girls which was made necessary by the lure of the uniform worn by our boys stationed at Camp Knox and Camp Taylor which are at close proximity to Louisville.

What *has* been done, in Kentucky of which I am proud, has been done through the efforts of Mrs. Harry Bishop, Director of the Children's Protective Association of Louisville. We have taken away the girls from the Greendale Reformatory where both boys and girls heretofore have been sent, and are placing the girls as rapidly as accommodations can be made for them at the Pine Bluff Training School for Girls.

LOUISIANA

REPORT OF H. F. BRETTHAUER, CHIEF PROBATION OFFICER, JUVENILE COURT, SHREVEPORT

As yet there is no adult probation in Louisiana.

Juvenile probation work throughout the State is carried on mostly by volunteer workers. In 1918 war work activities have disturbed our efforts considerably although in a few points action has been more aggressive especially near the cantonments.

In 1918 the truancy situation was studied and the State compulsory school attendance law of 1916 when applied to meet the situation was found lamentably inadequate.

The Juvenile Court of Shreveport succeeded in having an excellent law passed by the 1918 legislature which will enable

us to reach adults who contribute to the delinquency of juveniles. The juvenile law defining juvenile neglect and delinquency was made part of the State constitution in 1913, and as no law can be broader than the constitution our State Legislature was very much limited in scope so far as juvenile laws were concerned. Last year the people of the State voted on a constitutional amendment and the Legislature may now modify the juvenile law as embodied in the State constitution. We are going to take advantage of this new situation and already the matter of preparing needed legislation is engaging our attention.

MAINE

REPORT BY GEORGE W. GROVER, PROBATION OFFICER, PORTLAND

I am pleased to report that during the past year in the State of Maine we have made some progress. One new probation officer has been appointed in Piscataquis County, Charles H. Norton of Dover, Me. We now have probation officers in ten of the sixteen counties. Our State law governing the appointment of probation officers has been amended so that women assistant probation officers may be appointed, this law becomes effective July 4th. The need of probation officers is becoming more and more apparent. We hope to have an officer in every county in this State in the near future.

MARYLAND

REPORT BY HOWARD C. HILL, EXECUTIVE SECRETARY, PRISONERS AID ASSOCIATION, BALTIMORE

Juvenile probation work in Baltimore is carried on through individual probation officers who are appointed by the Supreme Bench and who report directly to the judge of the Juvenile Court, who in turn is a special magistrate with jurisdiction in juvenile cases. There is no organization of these officers and the status of their work is set forth in the statement of tangible needs under the present plan, prepared by one of the probation officers of the Juvenile Court and appended to this report.

Adult probation work began in 1902 when 263 first offenders

were released in the custody of the Prisoners Aid Association. This number increased yearly and the Association appointed regular probation officers. From the first non-support and bastardy cases were referred and collections were made through the Association. A brief statement of the needs in adult probation is also appended to this report, having been compiled by the chief probation officer.

At present the Prisoners Aid Association receives a small appropriation from the State in return for its collection work, and the City of Baltimore makes an appropriation to the Association for supervision of persons placed on probation by the Criminal Court.

The probation officers are nominated by the Association, appointed by the Supreme Bench, and sworn in as court bailiffs. Probationers are paroled to the Association.

In addition to this probation department, handling all official cases, the Association has several officers, not officially appointed, who handle voluntary cases. The carefully selected officers and the splendid co-operation with and by the courts, the states attorney's office and the public generally, enables the department to function to a large degree as effectively as though it were an official body.

There are certain drawbacks however in the way of lack of authority and a vagueness in defining the work; the cases growing out of suits for divorce in the Circuit Court and general scattering of problems growing out of family relations, add to the difficulties under present conditions; and furthermore, this probation work and the clerical work incident to it have so absorbed the energies and the finances of the Association as to preclude normal development along other lines.

To meet this whole situation a fairly unified program has been more or less generally agreed upon consisting of legislation providing for:

- 1st. An additional judge on the Supreme Bench to hear all family relations problems, including juvenile cases, and the consequent absorption of the present juvenile court.

- 2nd. Provision by the Legislature for establishing and maintaining a probation department to the Supreme Bench of Bal-

timore as a distinctly court function, under the direction of the court but with probable supervision by an advisory commission.

Needs of the Juvenile Court of Baltimore

The Juvenile Court of Baltimore City was created by Chapter 611 of the Acts of 1902. It was one of the earliest among similar courts in the world, and it is safe to say that it has not advanced far beyond the old system of police courts, except that it provides a separate place in which children's cases may be tried where formerly adults and children were tried together; also, instead of keeping children confined in cells awaiting trial, they are now allowed to return to their homes and are brought into Court by their parents; also, they are committed to reformatories instead of being sent to jail.

An additional feature of the Court is the Probation Department but this work is handicapped in many ways. The Court and Probation Department are confined to one large room in which trials are held from ten to twelve o'clock every morning, and during this period the Probation Officers are requested not to interview any one. It often happens that Attorneys and social workers, while seeking interviews with the Probation Officers, are taken out into the Court House corridors where most of the Probation Officers' work is carried on during Court hours. The Probation Officers have found this custom of transacting business in the corridors quite inconvenient and often very embarrassing, especially when the watchman comes along and drives them back into the court room with threats to arrest them for obstructing the passage of those who have business in other courts.

Proper quarters should be provided for the accommodation of the Probation Officers. Probationers are compelled to wait until court has adjourned because they can not be interviewed during the session. They sit in the benches with other offenders who are awaiting trial, the witnesses and visitors, and hear the trials of other children and this has a demoralizing effect upon the probationer.

Interviews with probationers should be held in private; under existing conditions they are hurried and ineffective, especially

because of the fact that the officers having waited several hours for the adjournment of court, must make haste to go to lunch and visit the homes of the probationers in the afternoon.

The salaries of the probation officers are too inadequate to justify well-qualified men and women to remain in the service. The people of Baltimore do not seem to realize that the salutary effect of probation upon its future citizens will justify their providing adequate salaries and equipment for its Juvenile Court.

Needs of Adult Probation Work in Baltimore

1. An Increase in Staff. We have a staff of eight, two of whom are clerical workers. The six probation officers have 1,050 cases to handle, in addition to their preliminary investigations and the present necessary attendance upon court.

According to the generally accepted number of 50 probationers to each probation officer, we need 21 probation officers—an increase of 15. Certainly, our force should be doubled at once.

2. More Room. At present, seven out of eight of our workers are in one office that is only 15 ft. by 30 ft. In this small place all their stenographic work is done, all their files are kept and all their interviews occur. Necessarily, there is not sufficient privacy; also, the noise is almost nerve-wrecking. We need, at least, twice as much room.

3. A more efficient system. Much has been accomplished along this line this year; such as: provision for a fair distribution of the stenographers' time to each officer, an assignment of cases by the Chief Probation Officer, the starting of a simplified yet more thorough method of keeping statistics, an attempt to establish office hours, and a decrease in duplication of officers' attending court. Such a system has been started. It is but an attempt in the right direction, and this system needs to be enlarged to include some method for reporting investigations to the judges and for further decreasing the attendance upon courts. As the probation officers and the judges realize the advantages of systematizing our work, a greater degree of co-operation from all sources will be obtained and the resultant advantages of economy of time and increase in the co-ordination of activities will be secured.

4. A closer contact with the public. In Baltimore the public in general knows practically nothing of the principles, methods and results of probation. A campaign of popular education needs to be conducted. This should involve public addresses of various kinds in the churches, schools and other public places. Also, the public press should be utilized much more. Such a campaign will probably in some degree be started in the fall, and great effort probably will be put forth to secure the co-operation of the established forces of education and religion, not only in a campaign of education, but also in enlisting volunteers.

MISSOURI

REPORT BY JESSE P. SMITH, CHIEF PROBATION OFFICER,
JUVENILE COURT, ST. LOUIS

I wish to report as State Secretary for Missouri that I have received only a few replies to the seventy-five letters that I sent out to probation officers throughout the State, but did hear from the Secretary of the State Board of Charities and Corrections, who reports that we have about seventy-five counties which now have juvenile courts and probation offices.

Our law was not changed at the last Legislature; the Children's Code Committee decided that it would be best not to ask for a change in the law this year, but will try to have one law enacted to cover the entire State at the next Legislature.

Each county officer reports an increase in the work, due to the war and economic conditions. I wish to report for the city of St. Louis that from January 1st, 1918, to January 1st, 1919, we had an addition of 540 more children than during the year of 1917, corresponding months, and at the present time we are averaging about 175 children per officer, which is entirely too many to do the efficient work that should be given to these children. During the year 1918, we appointed a colored man probation officer, but will not be able to have any additional probation officers appointed this year owing to the shortage of the funds of the city of St. Louis.

The Missouri Conference for Social Welfare did not hold its meeting last fall, consequently our State Probation Officers Association has not met to get thoroughly organized, but I am in hopes that this Fall at the convention we will be able to form a state organization so that we can improve the probation work throughout the state.

NEVADA

REPORT BY E. J. MILNE, SUPERINTENDENT, NEVADA SCHOOL OF
INDUSTRY, ELKO

A brief report of the work of probation in this state would show that there are but two or three counties in the state who have any probation officers at all; these are juvenile probation officers, one in Washoe County, Rev. Brewster Adams, and one in White Pine County, Mr. David Reedy.

I was somewhat instrumental during the last session of the Nevada Legislature in having a bill passed which now makes it possible to have the district judges appoint in counties a person of good character a probation officer to be paid from the funds of the county. Heretofore the sheriffs of the various counties would bring all boys committed to this institution by the various district judges, acting in the capacity of juvenile judges, to this institution. They frequently would bring them accompanied by prisoners for the Nevada State Prison and they have been held and confined in county jails for periods varying from 3 to 90 days. Under the new law the Superintendent of the Industrial School is vested with the power of transporting the cadets from the place of commitment to the school, thus removing as far as possible the penal and criminal element of the work. Our state is perhaps the fourth largest in the union and our entire population would hardly be that of a dignified city in the East, consequently we are handicapped for a workable and thorough juvenile law for immediate action.

NEW JERSEY

REPORT BY MR. C. W. IRWIN, CHIEF PROBATION OFFICER, ELIZABETH, SECRETARY NEW JERSEY PROBATION AND PAROLE ASSOCIATION

In 1904 the New Jersey State Association of Probation and Parole Officers was organized, the object being to meet several times during the year to consult and advise with each other.

Our membership is fifty-one; forty-one probation officers and ten parole officers. Eighteen counties in the State, out of twenty-one, have probation officers. The remaining three counties are rural.

The parole officers are from the following state institutions: State Prison, State Reformatory for Men, State Reformatory for Women, State Home for Girls, and State Home for Boys. They are to be centralized under the Department of Charities and Correction.

Our Association was one of the first organized and we find it helpful. If a person from another county commits a crime and is placed on probation, the officer immediately gets in touch with the officer of the county in which the probationer resides and asks him to take care of the case.

In our State at the present time there are about 11,000 on probation. We have the county probation system in this State; that is, a chief probation officer for each county and his assistants. We find that it works much better than if each Court had a probation officer. The work takes in both juveniles and adults. Probation officers are under civil service and have been since 1908. Taken from the civil service list, they are appointed by the judge of the court of common pleas, who also fixes salaries. The judge delegates one probation officer as chief probation officer who has charge of the office and directs the work, but he is under the direction of the court.

Magistrates, justices of the peace, police recorders and police justices in certain cases have power to place offenders on probation.

The judge of the court of common pleas of any county can on

recommendation of the sheriff, in his discretion, place on probation any prisoner, under sentence to confinement in jail upon terms fixed by the judge. The earnings of such prisoner while on parole shall be paid by his employer to the probation officer, to be disbursed by him for the benefit of such prisoner or such persons dependant upon him for support. If the prisoner violates his parole, the probation officer can at any time return him to the jail, a certificate being given by the probation officer to the sheriff or keeper, stating such breach of conditions, whereupon such return and the reason thereof shall be immediately reported to the judge. In no case shall the term of parole exceed the time for which the prisoner was sentenced.

Juvenile courts in first class counties have special judges, also houses of detention. The judge of the court of common pleas acts as the judge of the juvenile court in other counties of the State.

The Court of Domestic Relations also comes under the jurisdiction of the judge of the juvenile court in first class counties.

We are endeavoring to secure special judges for juvenile courts in all counties of the State, under the plan of the circuit judges; that is, for each judge to cover two or three counties, outside of the first class counties, which will have a judge for each county.

The idea is to centralize these judges, who will be under some authority at the capitol, Trenton. This will not interfere with the probation officers of the counties, who will take charge of those placed on probation as heretofore.

One of the features will be to endeavor to make this a court of equity, where more freedom will be given to judges in disposing of cases. It will give the court an opportunity to shift the responsibility from the child to the parent; in other words, hold the parent responsible for the behavior of the child.

As children are wards of the State, they are subject to State care and protection. Under our laws parents can be punished for neglect, as well as cruelty. As neglect, like the term disorderly conduct, covers many faults, this will give the courts ample power to deal with them. This law is being carried out in some of the counties and parents are punished by being fined, with a

warning that if they appear again a more severe sentence will be given.

If the proper authorities could be made to realize that some kind of physical exercise should be given probationers, especially juveniles, it would probably be a great help to the work. Something like a well equipped gymnasium, with a swimming tank, attached to each probation officer's headquarters, where the juveniles who obey the rules of probation could be allowed to go at least three times a week, to be drilled under a physical culture teacher, would be ideal.

Building up the weak and undeveloped body would no doubt help to clear up the mind. As the body grows healthy and strong there is no reason why the mind should not, unless it is diseased. During the classes, one of the probation officers could be present, who would look after the conduct of the probationers, though if the proper kind of instructor could be secured, this would not be necessary. This would without question cost money, but the benefit derived, would be well worth the money spent.

All cases coming before the courts for sentence are investigated by the probation officers and in a number of counties the court consults with the probation officer regarding the sentences to be given.

In this State the probation officers are always glad to assist the parole officers of the various State institutions in any way. The probation officer has proven of value to the community, but he cannot live on air. Money is necessary for his maintenance. It is evidently not realized that a person who fills the position of a probation officer has to have broad experience. He has to be a man of education, must be familiar with law, in fact, his work takes him to all fields; charity, prevention of cruelty to children, domestic relations, etc. He must be able to meet all classes. If we desire to keep up this standard, it is necessary to make the salary a living wage, at least. I do not believe any officer no matter with what little experience he entered the work, ever expected to become a millionaire, yet he certainly felt that proper compensation would be received.

The Courts of New Jersey are to be commended for being care-

ful in reference to placing on probation the feeble-minded, the confirmed inebriate and habitual offender. These classes of offenders are apt to lower the standard of the efficiency of the probation office in the eyes of the public. Institutions are really the only place for such cases.

About 75% of those placed on probation make good. To me it is a wonder that there is such a large percentage because most of the juveniles come from such miserable homes, where the parents are sometimes worse than the child, and without the assistance of the parents it is difficult for a probation officer to reform his charge.

After many years of experience in probation work, I feel that though sixteen years have passed since the various states have attempted this experiment, it is yet in its infancy, and we are looking forward to greater results.

NEW YORK

REPORT BY CHARLES L. CHUTE, SECRETARY, STATE PROBATION COMMISSION, ALBANY

War and reconstruction have not appreciably affected the growth of the probation system in New York State. During the war there was a slight decrease in the use of probation for adults and some increase in probation for children. Since the close of the war the use of probation for adults has been increasing somewhat. There are now 15,685 persons on probation in the State, a greater number than ever before. The number of adults is more than twice the number of children.

We have now more salaried probation officers at work than ever before—212. The salaries of these officers are slowly but surely increasing.

Standards of probation work have shown a marked improvement during the last few years. This is partly due to more and better paid officers, the successful operation of the civil service under which every salaried officer in New York State must qualify, and the large amount of educational work which has been carried on, including the reports and other literature distributed by the

State Probation Commission, and the annual Probation Conference which has been increasing in attendance each year. The conference comprises addresses and discussions lasting for two days, just previous to the State Conference of Charities and Correction. The proceedings are published and distributed by the State Probation Commission.

No legislation of importance affecting probation was enacted this year.

NORTH CAROLINA

REPORT BY R. F. BEASLEY, COMMISSIONER OF PUBLIC WELFARE,
RALEIGH

Previous to the current year, little probation work of any kind was done in North Carolina. A few of the towns had begun the work of juvenile courts, but the whole field was scarcely touched. No adult probation had been provided for.

As a result of legislation accomplished at the beginning of the year 1919, we are now making our first serious and state-wide effort at juvenile probation. In this State there are twenty judicial districts, the twenty judges rotating and covering the hundred counties of the State. These courts are known as superior courts, and try both civil and criminal cases. In each of the one hundred counties there is a resident clerk of court who is elected by the people of the county to serve four years. These men are uniformly of high class and worthy citizenship. The juvenile court law just enacted makes each one of these clerks of the superior court the judge of the juvenile court for his county with jurisdiction over all cases of delinquent, dependent, and neglected children under sixteen years of age. The juvenile act provides that in each county there shall be elected by the county board of education and the board of county commissioners and paid jointly by them a county superintendent of public welfare. The county superintendent of public welfare is the chief probation officer of the county as well as the chief school attendance officer. The larger cities may provide juvenile courts of their own and appoint probation officers if necessary to serve under the gen-

eral supervision of the chief county officer, or they may combine the work of the town with that of the county.

We are now in the midst of an effort to secure the election of these one hundred chief probation officers. It is impossible under the conditions to secure many men who have had previous training. The qualifications of each probation officer must be passed upon by the State Board of Charities and Public Welfare. We are securing such men as can be found in the localities with natural aptitude for the work with the hope of giving them such instructions and training that eventually the handicap of lack of previous training will be overcome.

Of course, all this would be a very difficult task if these men had to handle already developed masses of juvenile court work. Our problem is to develop the public sentiment and the public understanding of the juvenile court principle and probation along with the actual training of the judges and the probation officers. It will be seen at once that we have to rely upon the primary good judgment and common sense of the judges and of the probation officers and their ability to work with them in establishing at first the general broad principles of this work rather than its technique.

The juvenile court bill was drawn by Mr. Charles L. Chute, and was not seriously modified in its passage from its original draft except in the one particular that under our constitution we could not give exclusive jurisdiction over adults charged with offenses against children. These cases must take their turn as any other classes of offenses in the various courts. We hope to develop within the next few years such machinery and legislation for starting systematic adult probation.

I believe that no state-wide situation could possibly be more hopeful than that in North Carolina at present.

OHIO

REPORT BY A. C. CROUSE, CHIEF PROBATION OFFICER, COURT OF DOMESTIC RELATIONS, CINCINNATI

Ohio has made little progress in the development of her probation work during the past few years. In actual accomplish-

ments there have been but two things worthy of mention. The first one is the increase in the maximum salary that may be paid to probation officers, as well as the maximum amount that can be used for probation work in juvenile courts.

Heretofore the courts of the State have been handicapped because the law did not appropriate ~~a~~ sufficient amount of money to maintain an adequate probation staff. The maximum amount which could be paid for probation officers was not large enough to attract the trained worker. It has been the experience of all the juvenile courts in Ohio that as soon as they had developed a probation officer some other organization came along and offered a larger salary. The removal of these limitations by the last Legislature will do much to improve the work of the juvenile courts in Ohio.

The other law passed by the Legislature relates to adults who have been convicted of crime. It gives the trial judge the right to suspend sentence and places the man on probation without having first submitted the matter to the State Penitentiary authorities.

In addition to this a very strong sentiment has been created throughout the state for the enactment of an adequate adult system. Judge Charles W. Hoffman presented the matter to a special group of social workers at the last State Conference of Charities, after which the conference went on record as favoring the proposition and authorized Judge Hoffman to have a bill prepared along the lines laid down by him in his address.

Such a bill was prepared and turned over to the Ohio Institute of Public Efficiency, but the opportunity did not present itself to take the measure before the State Legislature. We are assured, however, that a campaign will be made before the next session of the legislature, which, it is hoped, will put enough force back of the bill to secure its enactment.

The bill has already been endorsed by practically all of the leading papers of the city.

OKLAHOMA

REPORT BY MRS. MABEL BASSETT, HUMANE AGENT, SAPULPA

At one time our state law provided for probation officers in this State, but the Legislature four years ago repealed the act.

In several cities the humane agent is now looking after the work. I as humane agent for this county do most of the juvenile work here. In other places the bailiffs of the different courts give a portion of their time to the work and Oklahoma City in some manner manages to pay an officer. The salary for probation officers when allowed by State law was fifty dollars per month. There is great need for probation work in Oklahoma, and our progress has been rather slow along that line.

I do not believe our probation law would have been repealed if some one had been at the Legislature to have looked after the interest of probation work. I understand some counties where the judges made political appointments without any consideration as to the efficiency of the appointee for this line of work, was the cause of this law being repealed.

It is of little use to have a juvenile court without probation officers and I am sure if some interest is created in this matter our next legislature will make provision for the work.

PENNSYLVANIA

REPORT BY DR. LOUIS N. ROBINSON, CHIEF PROBATION OFFICER,
JUVENILE COURT, PHILADELPHIA

Having been asked to accept the position of State Secretary of the National Probation Association and to summarize the movement along probation lines within the State during the last year, I sent to each court to which a probation officer or officers were attached a questionnaire asking for information in regard to recent developments, needs, plans for the future, etc. Fifteen replies were received and from these and information received from other quarters the following report has been prepared.

The movement to provide juvenile detention houses is progressing rapidly. In both Easton and Johnstown, detention houses have been opened within the year. Doctor Caedwell writes me

that the one in Johnstown is equal in equipment to any within the State. A few weeks ago, three gentlemen from the Rotary Club in Lancaster came to Philadelphia to visit our Juvenile Detention House with the idea of setting up one in Lancaster. From several quarters, the need for such an institution is insisted upon. The city of Chester has gone one step further. It has determined to have a house of detention for women and girls similar in nature to the one now run by the Philadelphia Municipal Court at Twelfth and Wood streets.

One notes, too, in the replies symptoms of what is coming to be a common complaint—overloading of the probation officers with cases. The demand for more probation officers is coupled also in some cases with a demand for more clerks, stenographers and office equipment, evidencing a clearer perception of what good probation work involves in the way of record keeping.

In the Municipal Court of Philadelphia, with which I happen to be connected, several changes have occurred looking toward the improvement of our probation work. A Central Bureau of Registration is now being set up which will enable us, for example, to know at once when a child is brought in whether his parents or older brothers or sisters have at any time been in another division of the Court. We have also established very friendly relations with both the University of Pennsylvania and Bryn Mawr College. Several graduate students from both these institutions are now in the Court, either getting acquainted with the inner workings of our court or making investigations of a scientific character, some statistical in nature. This friendly relation between the Court and the two institutions of learning has the double advantage of enabling us to get the benefit of trained students for assignment on special tasks and of making it possible for the institution to offer training to their students of a very practical sort.

Perhaps the most interesting as well as the most valuable innovation which has been set on foot in the Municipal Court within the year is the plan now in force of caring for the disorderly street walkers infected with venereal disease. By an arrangement with the Gynceean Hospital, the Court now sends those of

this class who seem most susceptible of reform to the hospital for treatment. When they are cured or at least rendered non-infective, they are then placed on probation and every effort made to bring about a change in their mode of conduct.

Personally, I believe that a State Probation Commission, which would give its time to the development of probation systems in courts not thus equipped and to the improvement of the standards of work now done would be of real service in Pennsylvania.

SOUTH CAROLINA

REPORT BY HON. C. J. KIMBALL, RECORDER, MUNICIPAL COURT,
COLUMBIA

The history of the work in our city dates back to the latter part of 1915, at which time the then City Recorder, acting under an act of the General Assembly of the State of South Carolina, giving the City Recorder in Columbia jurisdiction in cases involving children up to a certain age, set aside one afternoon in each week for the hearing of cases of juvenile offenders. These cases were heard in the police court room, and the offender lectured or punished, but no regular probation system or follow up work was established.

In the latter part of 1918, as City Recorder and Judge of the Juvenile Court, in co-operation with my most efficient co-worker, Miss Lottie S. Olney, who was in charge of the Juvenile Protective League and other welfare work in the city of Columbia, I asked the City Council to appropriate certain funds for the purchase and establishment of a detention home for delinquent children and a juvenile court. City Council passed an ordinance unanimously adopting the plans offered by Miss Olney and myself, authorizing the purchase of a very valuable piece of property located within two blocks of the State House and authorizing the employment of co-workers to put into force an effective system of handling juvenile delinquents and for the opening of a court room—separate and apart from the city jail—for the trial of all juvenile offenders.

It was at that time that we organized our juvenile work in the

building purchased by the city, said building consisting of twenty large airy rooms with a nice lot and court in the rear. The building faces one of the most prominent streets in Columbia. We have in the front part of this building on the first floor, as you enter, to the right, the court room; to your left, reception or waiting room, and connecting with this room is the office of the Superintendent. This part of the building is separate from the main portion of the building by partition and large doors. The remaining portion of the building is used for the children's home; delinquent or dependent children are held here waiting investigation and final action of the court.

We have employed as our regular workers a superintendent in charge of the Children's Home and juvenile work, a matron and two assistants, one white and one colored probation officer, and a stenographer to the superintendent who is also clerk of the juvenile court. The superintendent and two probation officers and the clerk of the juvenile court are all sworn officers having regular police authority in their work. The court being presided over by the city recorder.

The beginning of this work dates back to the formation of an association known as the Juvenile Protective League by some of our good women and men who were interested in child welfare work in this city. The purpose of the league was to make a survey of the city at all times and to care and protect juvenile delinquent and dependent children. This organization was financed by contributions from the different churches, and other organizations, with donations from private individuals. The work was done by volunteers with the exception of the executive secretary, who was superintendent of the Municipal Bureau for the Protection of Women and Children, and who was permitted by City Council to have charge of and act as executive secretary of the Juvenile Protective League. She was paid by city of Columbia, and deserves much credit for being instrumental in the establishment of the institution we have today.

Since the beginning of our real work in December, 1918, 198 children have come within the jurisdiction and have been handled by the court. We have in full operation a probation system

which is worked most effectively and which we hope to enlarge and improve upon as the work grows.

It is gratifying to be able to report that the city of Charleston has on foot the establishment of a juvenile court and probation system. I have advices from representatives in Charleston who are interested in this work that they are at present doing certain work for the protection of children, and they will in the near future make an effort to organize a regular juvenile court and probation system. Juvenile delinquents and dependent children are at present being handled through the judge of the Probate Court, said court being an arm of the General Sessions of the Common Pleas Court.

We have a letter from Mayor Hyde of the city of Charleston, dated May 19th, which is a reply to a letter addressed to him urging that he send to the National Conference a representative to discuss child welfare work, in which he states: "I am thoroughly in sympathy in the work for juvenile delinquents. I may state that we have recently appointed a commission here and have as director a very competent young lady to look after the matter. This official is carried on the pay roll of the city and we also have a man who is juvenile officer and cares for the boys." I am convinced that it will only be a short time until Charleston will have in full operation a juvenile court and probation system.

Mr. J. B. Johns, superintendent of the South Carolina Industrial School for Boys, located at Florence, S. C., advises me that at this time they have no probation, but hope to establish a regular probation or follow up system later on. This institution under the management of Mr. Johns is in full sympathy with the work throughout the State, and is always ready to co-operate in every way to promote the work. We never have any trouble in getting reports from Mr. Johns on boys who have been placed there by our juvenile court.

Mrs. Perry, superintendent of the Industrial School for Girls, recently established and now operative temporarily at Campobello, S. C., has not at this time a probation system, but she is thoroughly in sympathy with the probation system, and I feel

she will later on join us in a state wide system of probation and follow up work.

I am advised that the city of Greenville has no juvenile court or probation system; however, they have during the period of the war established a detention home for delinquent girls; said institution being in charge of Miss N. Rhoda Stewart, special Federal worker. I am also advised that this institution is supported by the city—the building having been purchased by private subscription by individual citizens—the worker in charge being paid by the Government, but I am informed that the city will continue this work after the withdrawal of Government funds, and at all probability Miss Stewart will remain in charge of the work, and I am convinced from her attitude when I met her at a meeting held in Columbia a few days ago, that she will be instrumental in the establishment of a juvenile court for delinquent and dependent children and an effective probation system.

Since the establishment of our work in Columbia we have had numerous inquiries and visitors from all parts of the State who were interested in establishing juvenile courts and probation systems in their home town.

I have addressed a letter to the mayor of every city and town in the State urging that they have present at the National Conference a representative from their city; I do not know how fruitful this will prove; however, I am satisfied that we will have at least a few present in consequence of this request. I have been thinking of proposing while at the National Conference a meeting together of all the representatives from South Carolina and the organizing of a probation association for our State. I feel that it will lend strength to our work to have this organization perfected at the National Conference, but I cannot state my plans in a letter and will not do so until I see you in person, at which time I wish to advise with you and others as to just what we should do to have in our State an effective probation system. I feel that we should be very careful, for we are just beginning this work in South Carolina, and if we can get started properly do not think we will have any difficulty in getting the co-operation of every city and town in the State.

VIRGINIA

REPORT BY HON. JAMES HOGE RICKS, JUSTICE, JUVENILE AND DOMESTIC RELATIONS COURT, RICHMOND

The General Assembly of Virginia in 1918 passed a general probation law, which Mr. Chute has declared to be one of the best and most progressive measures of the sort in this country. The State Board of Charities and Corrections has prepared and distributed to judges and justices throughout the State a probation manual. Governor Davis, in a special letter, has called the attention of the judges and justices of the State to the new probation law and urged upon them its practical use. About twenty new probation officers have been appointed in the past twelve months.

Norfolk has established a juvenile court separate and distinct from its police court and is organizing a new probation force. This city bids fair to have one of the best and most efficient courts in the country. Judge W. W. Dey, the newly elected justice, is a broad-minded, progressive, young lawyer with a big vision of the possibilities of juvenile work.

There is a regrettable tendency on the part of some courts to appoint as probation officers inexperienced and unqualified persons. This is especially true in the development of adult probation work. The State Board of Charities and Corrections, however, is endeavoring in every way possible to secure men and women of the right type for this important function.

WASHINGTON

REPORT BY G. W. DICK, JUVENILE COURT, SEATTLE

Some material advances have been made in juvenile court work in the state of Washington during the past year. At least six additional paid probation officers have been employed and departments have been established in two communities which heretofore have been without the services of such departments.

The Seattle Juvenile Court has established the position of Adviser to the Judge in girl cases. While this step is not an innovation in juvenile court work, it has created much favorable

comment, not only in Seattle but also throughout the state and the northwest.

Spokane County, Spokane, has instituted a Child Placing Bureau in connection with the juvenile department. I seriously question the advisability of such a step, but will observe the results of this action with great interest.

Pierce County, Tacoma, has completed plans for a new detention home which will materially increase the efficiency of the work.

PROVINCE OF ONTARIO

REPORT BY J. M. WYATT, CHIEF PROBATION OFFICER, JUVENILE COURT, TORONTO

A questionnaire was sent out to the local agents of the Children's Aid Society who act as probation officers for children throughout the Province. The information received may be thus summarized:

Out of twenty-two definite answers, thirteen officers state they think they have sufficient paid workers, nine state they need more paid workers.

Out of twenty-one definite answers, fifteen state that they believe there is sufficient work for at least one paid worker along preventive lines, two consider that they are covering this ground sufficiently well, four do not consider that it is necessary.

Out of twenty-three definite answers all definitely recommend the judicious extension of the probation method to young *adult* offenders, two of these qualify their recommendations by specifying types of cases and qualifications of officers. In nearly every case officers quote instances where young adult offenders have been helped by this treatment.

The answers show that the officers have a fair understanding of the causes of delinquency and that those in charge of the work are fairly evenly divided in regard to a solution. One group place their hope on better legislation, most of the others recommend the appointment of additional officers and direct supervision of the delinquent child and the home, while a few look to

improved legislation combined with direct follow-up work in the home.

This brief summary loses a great deal of the spirit and interest shown in the replies and the very fact that every officer recommended that the probation method be extended to young adult offenders is, in itself, a great thing and might be used to extend the probation treatment.

As far as the City of Toronto is concerned, I am of the strong opinion that more paid, responsible probation officers are required to standardize and centralize the work. There are but four officers in addition to the Chief Probation Officer to look after delinquent children for the whole city. While we have good volunteer workers, far too great a proportion of the work must be done by them, which makes it very difficult to standardize the work. Then again, no volunteer workers can accept responsibility for more than a few probationers which makes it almost impossible to work through the group system which is so strong among boys and which can be used by an officer to great advantage but which if left undirected in a big city, almost always leads to serious trouble for the individual boys of the group. In other words, I do not believe that so many serious offenders can be so effectively helped by volunteer workers, dealing with them as individual boys belonging to this or that denomination, as they could by a sufficient number of paid workers in local districts and working through the group system.

We are making steady progress and the success we have experienced with many boys is a great stimulant amid many discouragements. It is our business to fight and to see that the boys get a real chance.

PROVINCE OF ALBERTA

REPORT BY A. M. McDONALD, SUPERINTENDENT OF DEPENDENT
AND DELINQUENT CHILDREN, EDMONTON

As yet there is no probation work among adults in this Province. The parole system, of course, is in vogue, and a certain amount of work, similar to that of the probation officer, is done among paroled prisoners.

Throughout the Province, we have in force what is known as the Juvenile Delinquent's Act of Canada and the Children's Protection Act of the Province. Both of these provide for the appointment of probation officers by cities and towns with a population of 10,000 or more. We have in the four leading cities of the Province at work at the present time, six male officers and four female officers. You will understand that the cities in this new Province are not as yet very large. The two largest cities have a population of about 10,000 each. The probation system is used in approximately 90% of the cases coming before the juvenile court. Only in extreme instances are offenders of either sex sent to institutions.

In addition to the officers of the city, the Province has at present four travelling male inspectors and two female officers, doing in the country places the kind of work which the probation officers do in the city. They are present at the hearing of the juvenile cases in the country and generally they make the preliminary investigations and recommendation to the court. In these instances it is necessary to secure the co-operation of volunteers who will continue the work between the visits of the travelling officers. We do not recommend the volunteer system as being the best, but in sparsely settled districts it seems to be the only system workable and in some few instances where specially qualified individuals have given their co-operation, it has worked out well.

At the present time there is an agitation in the larger cities for an increased probation staff, and in one of them (the city of Calgary) there is a likelihood that the staff will be doubled before many months have passed.

One of the difficulties which we encounter is the lack of trained workers. We have a few officers who have been acting in this capacity for some five or six years, and may be said to be self-trained. To meet this defect the Department has arranged for a yearly conference to which these officials come to discuss with each other their problems.

It has been found that many of the older officers have been reading current literature on the subject, and comparing their

experiences with the literature they read, they are able to give the younger officers a great deal of valuable help and information.

At the present time there is an agitation for a department of sociology in connection with the Provincial University. If this is obtained no doubt we will be able to get officers who will be better qualified for their work from the time they undertake it.

ADMINISTRATIVE PROBLEMS IN PROBATION WORK

EDWIN J. COOLEY, CHIEF PROBATION OFFICER, MAGISTRATES
COURTS, NEW YORK CITY

In order that this session might be a forum at which people can confer and not like the usual conferences at which people listen to formal papers from the beginning to the end of the meeting, with little chance whatever to confer, it was decided not to have any formal addresses at this session but to select definite subjects for discussion and to get right down to "hard pan" and "brass tacks" and to informally talk about the specific work which comes before us as probation officers. There has never been a time in the history of probation work when there was as wide-spread an interest in the problems with which we are called upon to deal. There has never been a time when the general public has been more ready to recognize the difficulties that we are working under and to support progressive measures. It is up to us as probation officers to lead the way and it is by coming together in this manner that we can reach a consensus of opinion and be prepared to submit recommendations and suggestions, and with a unanimity of thought and action, there is practically nothing essential that cannot be secured.

Probation is still in its formative stage and we are all contributing to its up-building. Human problems can never be settled by academic methods, they must be tested and treated in such a manner as experience proves to be the most effective. To the probation officer in the field, who comes in daily contact with actual life, its temptations and its weaknesses, its aspirations and reformations, those who seek standards for the treatment of

delinquents, must look for suggestion and instruction. In the program presented to us to-day, the subjects have been carefully selected and sub-divided so that the important phases of the discussion will be covered. An opportunity will be given to everyone to speak with the utmost freedom. Let there be no hesitancy or restraint. What is wanted is your live experiences, your vital suggestions, and your new ideas, and later perhaps we may be able to get together and transform those experiences, suggestions and ideas into a definite report which may be helpful to all.

It seems to me that those of us who have been identified with probation work for some time can feel that the original purposes of probation, so to speak, have been largely secured. That is to say, the community as a whole has accepted the release of a certain proportion of carefully selected offenders under friendly oversight and without imprisonment, as a reasonable and effective method of dealing with those who violate the laws and it has placed on the statute books laws which are adequate to permit that system to be built up. It is now—to use the language of the day—"up to us to make good." Now that we have gained our point in securing the recognition of probation, it is up to us as probation officers and as persons who have urged the system, to see that it does what we claimed it would do. Therefore, the important work, it seems to me, in the next five years is not so much extension and propaganda (although much of that remains to be done), but it is to work out a plan for securing thoroughness, accuracy and high quality in our probation work.

The difference between the surgery of fifty years ago, which was accompanied by great loss of life, and the surgery of to-day, which means the saving of life, is not in the gross aspects of it but is almost wholly in the development of an adequate technique. It is doing the very same things that were done before but with the utmost, scrupulous care and with cleanliness carried to the farthest degree that human ingenuity can conceive. Now our probation work is at the stage where what we most need is the development of a technique. We will not revolutionize radically the things we are now doing in the next five years, but we will do, with the utmost care and precision and with nicety of method

the things that we are now doing more or less carelessly, more or less incompletely, more or less without complete record, and without complete knowledge of what we are doing.

Our chief concern at this time should be that we shall ourselves feel fully the weight of responsibility that rests upon us, that we shall feel our duty to the individuals placed under our care so strongly that we shall not be willing to accept any half-way measures or probabilities but will insist on actual knowledge. Furthermore, we should not only feel our own duty to these individual persons but also that the system itself is on trial—that probation is on probation—and that our actions as probation officers are going to determine whether in the long run the system will stand or fall.

Finally, we owe a duty to the community to so administer this system that it shall give us greater knowledge of results and the possibility of demonstrating beyond peradventure that it is a benefit. We must be ready to demonstrate that our work has been sound and that we know whereof we speak, and that it justifies itself not only in the subsequent behavior of those placed on probation but in the effect upon the community as a whole.

There are two ways of looking upon probation work. In the first place we may regard it as a common-sense way of trying to help unfortunates in need of help and we say that any person with a kind heart, strength of character and good judgment can do probation work. In the second place we may look on probation work as requiring also special knowledge and skill and the application of certain approved methods. That is, we may consider probation as a practical art, just as medicine is such an art. Now I am aware that any remark tending to suggest that probation work be systematized evokes at once the counter-statement that this is impossible because no two cases coming before a probation officer for investigation or supervision present exactly the same problems. It is impossible, it will be claimed, to carry on probation work by any mechanical routine or any rule of thumb. But this very fact is equally true of medicine, for in that field there are all manner of idiosyncrasies among the patients and as a result wide variation in their symptoms and treatment.

The practice of medicine is nevertheless an art. It is just this wide variation that calls for special knowledge and skill in the physician and equally so in the probation officers. The probation officer must be able by comparison to distinguish whether one probationer differs from another and must be resourceful in adapting the treatment to the particular needs of each one.

While the probation system is of undoubted value and in our opinion is capable of much wider acceptance and more extended use than at present, in common with other human institutions it is not free from dangers. These dangers arise in the main from a disposition to regard the newest thing in social advance as a panacea and consequently to apply it without due discrimination. Probation is a valuable institution but it is not in all cases, even of juvenile offenders, a proper substitute for commitment. To fail to place the offender under a vigorous corrective discipline when such course is clearly indicated by the circumstances of the offense and the previous character and the present disposition of the offender, is an evil only less serious than to imprison the offender when the circumstances would justify his release upon probation. Before placing on probation judges should require a careful investigation of the facts by probation officers.

The probation system may easily become so attenuated as to be of little value. If the probation officer has an excessively large number of persons under his care and consequently does not keep informed in regard to their conduct and habits, if he fails to visit them at their homes or places of employment and relies solely upon their occasional visits to him or even as in some cases on written reports or information that may reach him accidentally, it is evident that probation has lost its meaning and that we cannot expect it to effect any change in the point of view or habits of the offender. The returns from the probation system in the form of actual improvement or reformation in the habits and character of the offenders will be in strict proportion to the amount of intelligence, energy, thought, time, care, personal influence and moral suasion put into the probation work by those who administer it.

One of the commonest weaknesses in probation work is that most probation officers have more work than they can do well. There is no greater duty incumbent upon probation officers in practically all communities, than the duty of pressing constantly before the proper appropriating bodies, the need for an adequate probation staff, adequate compensation and adequate clerical help. We know to our sorrow that wherever probation officers are overburdened with too many cases that real constructive probation work is impossible no matter how carefully the probation officers are trained, how well they are selected, or how hard they work.

The probationary oversight of all offenders should include full knowledge of all the important factors in the life of the individual affecting his conduct. It should certainly include full knowledge of his home surroundings, of the training received in the home, of his attendance at school and his aptitude shown in his school work, of his reaction to employment, of his forms of recreation, of his religious training. It should also include that which is very frequently overlooked, but is nevertheless of the highest importance—a careful mental and physical examination of the person by a competent physician. Such an examination will often bring to light defects of the senses, or other abnormal mental and physical conditions, sometimes susceptible of remedy, but which in any event, will have a marked bearing, if not a determining effect, upon the individual's conduct.

It is self-evident that a period of a few months is far too short to accomplish permanent results in changing the habits, attitude, environment, and character of an offender. In fact, he would naturally require comparatively little observation during this period for the shock of the arrest, trial and conviction is still fresh in his mind and he is little likely to repeat at once the offence which brings in its train these undesirable consequences. It is when the shock of these things has passed and they become less distinct and less constantly in mind and when the force of old temptations is renewed that the offender requires the guidance, counsel, moral support, confidence and aid of a wise and discreet friend such as the probation officer ought to be. It would seem generally that the minimum term of probation should be

longer and the average term considerably longer than is now usually the case, and that only in this manner will the real difficulties as well as the real possibilities of probation be discovered. In New York, Massachusetts and in New Jersey, experience leads to the belief that for adults the minimum period of oversight should be one year.

In some cases probation is little more than a suspended sentence with the incidental advantages of oversight and admonition on the part of the probation officer but without any recourse to severer measures if these admonitions are not heeded. If the probation officer allows a probationer to disregard his instruction with impunity or if the judge fails to support the probation officer in requiring observance on the part of the probationer of the terms and conditions of his release, the whole system of probation will fall into disrepute. Where the behavior on probation is unsatisfactory, the probationer should be called into court for a sharp rebuke and warning or for sentence.

The most important factor in probation work is the influence of the probation officer. The other factors simply provide conditions under which that influence may hope to be effective. It is of first importance, therefore, that probation officers should be persons who are likely to exercise a strong and helpful influence upon offenders, in other words, they should be persons of absolute integrity, of intelligence, of humane sentiments, of sound judgment and of unquestioned devotion to their work. To these qualities, two others should be added to complete the ideal probation officer, a wide range of training in social work including a thorough knowledge of the laws enacted for the protection of society and for promoting the welfare of its less fortunate members and a thorough acquaintance with the agencies established for the administration of those laws, and secondly, the wisdom gathered from extended experience in the work itself. Probation is in some respects unlike any other social work. While other lines of experience may be useful, it is from his or her own extended experience in probation work that the probation officer must gain wisdom and sound judgment as to methods and results if he gain them at all.

There is not likely to be an effective probation system in any city unless and until there is a considerable body of public opinion informed as to the meaning and value of probation and a number of citizens who are willing to become publicly identified with and responsible for such work, who in turn will create and extend public opinion in its favor, demand higher and better standards in its administration and protect it from improper influence. It is not a problem which requires primarily administrative capacity as does the work of most city departments, but is essentially a human problem, involving many delicate and difficult factors and requiring for its successful development a wide range of knowledge and experience, breadth of view, constant revision of method and intimate relations with other agencies for social improvement in each locality.

It is extremely gratifying to those that have been at the earlier meetings of the National Probation Association to see the increase from year to year in our numbers, to see the increasing importance attached to discussions, to see the increasing grasp of our work and increasing evidence and proof of its successes. Apart from the degree of success which has been achieved in certain parts of the country during the past eighteen years, the probation system has a creditable record for a much longer term elsewhere. In the State of Massachusetts it has been in successful operation for over 40 years. It not only appeals to the humane sentiments of the community and affords rational treatment of the various classes of criminals, but has stood the test of over four decades of actual use. It can show as its fruit large numbers of persons who have taken a first and sometimes a serious step in a criminal career and who by the friendly oversight, counsel and assistance provided by this system and by its strong and constant appeal to the better judgment have resisted all temptation to return to a life of crime and are self-supporting, self-respecting, useful members of the community.

TOPICS FOR DISCUSSION**STANDARDS FOR EFFECTIVE PROBATION WORK**

1. The probation system should be standardized by the employment of as many officers as is required by the number of cases. Proper probation work demands that no probation officer should supervise more than fifty probationers at any one time.

2. Earnest effort should be made to induce judges not to place on probation the definitely feeble-minded, confirmed inebriates or habitual offenders. Unfit subjects on probation destroy the confidence of the public in the system and lowers the efficiency of the probation officers.

3. Before placing on probation, judges should require a careful investigation of the facts by probation officers. Investigation reports should be treated as confidential communications and should not be made public.

4. Care should be exercised on the part of judges and magistrates throughout the country lest the making of preliminary investigations requires so much of the time of probation officers as to prevent them from properly performing their principal duties of looking after and aiding persons who are placed on probation.

5. There is a certain advantage in having the preliminary investigation made by the officer who subsequently supervises the probationer, but in large cities a division of the probation staff into a corps of investigators and supervisors is often desirable and practicable. Specialization also in family court work and in the treatment of youths produces favorable results.

6. Provision should be made in all courts to secure the services of physicians, psychiatrists and psychologists to examine defendants before sentence. Probation officers should take steps to obtain this co-operation where no provision has been made for it by the court.

7. As soon as possible after the court places an individual on probation, it is important that the probation officer should see the probationer, entirely alone, and explain carefully the general and particular conditions of probation. Visits to the home and to other places to secure additional information and co-operation

should be the next step. A plan of probation should then be formulated subject to modification as probation progresses.

8. The period of probation should be long enough to afford opportunity for definite improvement in the character and conduct of the probationer. At least one year is required in difficult cases. The practice of placing persons on probation for an indefinite period to be determined by the character and conduct of the probationer is advisable.

9. An essential factor of any successful probation work is vigorous enforcement of the conditions of probation. Probationers should be returned to the court promptly when the probation officer is firmly convinced of the unfitness of the probationer for further probationary treatment. Every effort should be made to apprehend absconders.

10. A constant endeavor should be made to vary the probation methods of treatment to meet the special needs of each individual, to better the conditions of the probationers and to develop a more personal and intimate study and contact with them. Points of concentration should be the family, health, education, employment, recreation, and spiritual development.

11. Systematic reporting and home visiting are both necessary in probation work. Probation officers should make these meetings count in information obtained and advice given and in the establishment of a friendly relationship. Interviews with probationers should be in private and should not be hurried or stereotyped. The commingling of probationers should be carefully avoided.

12. True probation work consists of definite constructive effort to help probationers by means of kindly guidance, home visiting and practical service. Perfunctory supervision consisting principally of reports to the probation office is not real probation work.

13. Complete co-operation with the social agencies of the community in the effort to surround probationers with every helpful influence is necessary to effective probation work, and to the progressive development of the system. In general, probation officers should not undertake services for probationers which other agencies are better equipped to furnish.

14. Probationers should be helped as much as possible to get

suitable work and to succeed in it. The interest of employers should be secured and co-operation with employment bureaus maintained. In large offices, a bureau of employment should be established. Vocational guidance should be used, particularly in the problems of boys and girls of working age. Employers should not be generally told that employees are on probation unless known to be willing to employ probationers. Probationers should be sent only to places where decent standards of work are maintained

15. The proper supervision of the work of the individual probation officers by a chief probation officer or group supervisors and also by the judges of the court is essential in developing a proper probation system. The co-operation and sympathy of the judge is needed by the probation officer. Frequent reports on the progress of probationers should be made to the judges.

16. At the termination of the probation period, the probationer should be brought before the court privately for judicial review. In large cities where there are a considerable number of judges, a probation part or court should be organized having central judicial control over the system.

17. The system of individual assignment on the basis of personality is desirable and practicable in communities in which the distances to be traveled permit an officer to get around to different parts of the city or county without a great loss of time. In very large cities the district system of assignment is a necessity.

18. (a) Suitable office quarters with adequate equipment, and provision for necessary expenses, should be supplied to probation officers.

(b) Adequate clerical help should be granted to probation officers. It is poor economy to burden probation officers with clerical duties, as their important work is in the field.

19. More complete, uniform and satisfactory records should be kept by all probation officers. A central bureau of criminal records should be established in each community.

20. An *esprit de corps* and team-work should be cultivated in every group of probation officers. Weekly conferences by mem-

bers of the staff at which common problems and difficult probation cases are discussed are desirable.

21. **Special case conferences** between probation officers and other social workers should be held frequently to consider difficult case problems.

22. Careful study should be made of the relative merits of different methods of applying probation and a continual checking up and improvement of case treatment in the light of such study. Probation officers should recognize that there is a definite methodology and technique in social diagnosis and case work and that in their daily work they are developing these processes.

23. By training, reading, and conference, probation officers should endeavor continually to increase their knowledge and capacity in order to meet the great opportunities of their work.

24. Probation officers should seek legitimate and enlightened publicity for their work through public speaking and newspapers in order to develop a more appreciative and better informed public opinion concerning probation.

25. Annual reports should be published and the material arranged in an interesting and an attractive style.

26. It is highly desirable that the supervision of those released from penal and reformatory institutions on parole should be developed on the same lines of supervision and responsibility as the probation system. There is much to be said for some definite co-relation of the two lines of work in the various localities of the country.

27. Definite qualifications as to character, ability and training should be required of those who seek to become probation officers. Merit and fitness alone should be the basis of appointment.

28. The salaries of probation officers should be made commensurate with the importance of the work and should be high enough to attract and hold well-qualified men and women in the service.

29. Greater support, not only financial but moral, is needed by the probation officers and the probation service.

30. Probation officers should play an increasingly important part in the broader movements of the day, looking toward the

improvement of living conditions and the prevention of delinquency and other social ills.

31. We should encourage experimentation to see how probation will work when administered by a local commissioner or board, and consider the wisdom of building up, in addition to the work of the courts, supplementary thereto and working in close harmony therewith, a plan of administrative control by which the problems of probation may receive the study, supervision and constant revision and improvement, that are secured for reformatory institutions by the boards of managers and executive officials thereof.

A STATE CLEARING HOUSE FOR ABNORMAL CHILDREN

DR. HENRY H. GODDARD, DIRECTOR, STATE BUREAU OF JUVENILE RESEARCH, COLUMBUS, OHIO

I have been invited to address you because the institution which I represent has been created by the State of Ohio for the purpose of aiding you in your work by determining the causes in each individual case of juvenile delinquency and thereby enabling you to deal intelligently with the cases that are put on probation.

In Ohio, as in many other states, children are placed in the industrial schools for a longer or shorter period, after which they are put on probation. It was found by careful examination that a large percentage of these children were feeble-minded. The probation officers have for a long time realized that many of these industrial school cases were exceedingly difficult to handle on probation.

The Ohio law says that any minor who, in the opinion of the Juvenile Court, needs State institutional care and treatment, is to be committed to the Board of Administration and by them assigned to the Bureau of Juvenile Research for examination and investigation of their actual mental condition. They are then assigned to such institutions as their condition requires. If they are feeble-minded, they go to the Institution for the Feeble-Minded; if insane, to the Insane Hospital; if their misdemeanor is the result of environmental conditions, which can be corrected

by changing the environment, they may be placed out in a private family; if they are normal, but so addicted to bad habits that no ordinary treatment will reform them, they may be sent to the industrial schools, although the ideals of the persons who formulated this law and of us in the Bureau, is that no normal child shall be sent to an institution. Ultimately we hope to attain that. At present, we are often compelled to send many of these children to the industrial schools. When any of these children are finally put upon probation, there will go with them the report of findings so that the probation officer will know accurately the kind of mentality and temperament and disposition with which she has to deal, and of course, as already implied, many of them who have heretofore been tried on probation and placed in private families will be permanently segregated in institutions for the feeble-minded or for the insane, thus relieving the situation enormously.

But there is another clause to the Ohio law which to my mind is much more significant and far reaching. What I have already said deals with what we may call the matter of cure or reformation, but these are days of prevention. Valuable as it is to reform a child that has gone wrong, it is much more valuable to prevent his going wrong. Accordingly, our law provides that the Bureau may receive for examination and study and consequent advice, any child suspected of having wrong tendencies. This means that when it is understood, the parents of such children, social workers, humane societies and other agencies will not wait until the child becomes a delinquent, but will have him brought in for diagnosis and recommendations as soon as he shows any tendencies that are out of the ordinary, or that seem to indicate that he may become delinquent.

I have alluded to the fact that many delinquent children are found to be feeble-minded. The Bureau of Juvenile Research has already found such a large proportion of mentally defective children that some people find it hard to believe that the methods used are reliable. Those who have studied the problem longer are not surprised. Moreover, probation officers are constantly

appalled at what seems to be the lack of common sense of the cases that come under their care.

We are now in possession of facts supplied by the United States Government that will explain the difficulty and put the whole matter on a much more intelligible basis.

When the United States entered the world war it was arranged to have a mental examination of every recruit to determine what ones were capable of becoming officers, what soldiers were of only average efficiency and what ones were perhaps of too low grade intelligence to be worth very much in the ranks. Under that system, one million seven hundred thousand soldiers were examined and the results are both surprising and illuminating. Surprising because no one had ever imagined that such conditions existed. Illuminating because they explained a large number of our social problems. In brief, the results were as follows:

They are divided into seven groups: A, B, C+, C, C—, D and D—. The A group comprises four and one-half per cent of the total; the B group nine per cent; the C+ group sixteen and one-half per cent; the C group twenty-five per cent; the C— twenty; the D fifteen and D— ten per cent. An examination of this kind based upon 1,700,000 soldiers may fairly be taken as typical of the whole country or of any homogeneous group; therefore, we have a right to apply these same percentages either to the total population of the United States or to the population of any State or any city, to school children or to any similar group. It accordingly becomes one of the most momentous facts that has been discovered in many years.

The government has not yet told us much about the mental level in terms of years such as we have already discussed, but they have told us enough so that we can estimate it with considerable accuracy. They tell us, for instance, that the lowest group, the ten per cent group, were of such low intelligence that they were not thought fit to be sent overseas. The average mental age of this group was ten years. They tell us that the B group was average college grade. This does not mean that they had been to college, but that they had sufficient intelligence to do college work if they had had the opportunity. The C+ group likewise

is the high school group. Since the government tells us that the C group rarely are able to finish high school, this would give them a mental age of between thirteen and fourteen years, while the A or highest group works out to give a mental age of about nineteen.

It will be seen from this that we have an enormous group of the population, at least ten per cent that is of very low intelligence. If we add together these percentages up to and including the C group we discover we have seventy per cent of the whole. Consider the significance of this fact. Seventy per cent of the population of the country is below high school mentality. With such a showing based on official figures of the government, it is easy to see that the supply of low level intelligence is ample to account for all our troubles. Not that *all* delinquencies are found in persons of low intelligence, but it is well known that most of them are thus accounted for.

If the low intelligence is inherited as it generally is, there is no known cure or help for the condition. Many times, however, the low intelligence is the result of deterioration. The child is then more insane than feeble-minded, and while not usually showing all the symptoms found in similar types of adult insanity, nevertheless is properly designated as psychopathic. Such cases are more promising than the others because there is some hope of at least improving them if not of cure. Moreover, they act differently and must be treated differently from the cases of arrested development.

The third chief type of delinquent is the normal child who is delinquent because of bad environment, either home or neighborhood. The Bureau is finding some of this type, but undoubtedly the courts are disposing of these cases themselves to a large extent.

Such are some of the activities and possibilities of a State clearing house for abnormal children.

THE RELATION OF PROBATION OFFICERS TO THE POLICE AND PROSECUTING AUTHORITIES

HON. JOHN A. LEACH, FIRST DEPUTY COMMISSIONER, POLICE
DEPARTMENT, NEW YORK CITY

I have been a magistrate of the criminal courts of the City of New York and am at present the First Deputy Police Commissioner of that city. Also, by virtue of my office as First Deputy Police Commissioner, I am a member of the Parole Commission of New York City. It is from the experience acquired in these offices that I address you to-day. A magistrate and the Police Department stand in a wholly different relation to a culprit than does the probation officer. Our province is to enforce the law and protect the community. The duty of the probation officer is to salvage the wreck, if possible.

When measured by the centuries of criminal history, the probation system is but a recent innovation, and there is grave danger that well-meaning theorists, in their anxiety to pet and coddle the criminal, will forget that there is a vast majority of law-abiding citizens in this nation to be protected. I ascended the Magistrates' Bench at a time when this tendency had reached such a point that it appeared to the outside observer that the prisons of the State of New York were about to be transformed into country clubs for the edification, support and amusement of the criminals and disorderly element of our State. An editor of one of the New York City papers came to me a few after my installation as Magistrate and said, "While you are considering these dear, darling criminals, please remember that the poor public needs some protection." You might infer from this that I am not a believer in the probation system, but nothing is further from the fact. I think the probation system is the greatest step in advance in criminal history. But all reforms, in their attempts to get away from the evil of the conditions they are endeavoring to correct, are apt to gain such momentum as to proceed too far in the other direction. It behooves some one to stand aside and view the whole situation, so that the best results

may be obtained from the reform without damage to the community.

The Police Department is not specially concerned in the probation of children and first offenders, for every one concedes that all such should have an opportunity to reform under such partial restraint as the probation system provides. Up to the year 1915 most of the probation laws had applied only to these. About that time attention was being directed to probation with reference to the adult and more advanced offender. In accordance with the drift of such public opinion, a law was enacted by the Legislature for that year creating a Parole Commission for the City of New York, consisting of three salaried members, and the Commissioner of Correction and Police Commissioner ex-officio.

The Police Department is very much concerned in the manner in which the jurisdiction of this law is exercised, for the reason that it deals entirely with advanced criminals, many of whom have been on probation as juvenile delinquents and some as first offenders in the regular courts, and now are actually serving time in a penal institution for additional offenses.

The safety of the community depends upon the discretion of the Parole Commission in exercising the privileges and powers conferred upon it by this statute. This law provides that any person convicted of an offense punishable by imprisonment in any institution within the jurisdiction of the Department of Correction, that is to say, the Penitentiary, the Work-house, the New York City Reformatory or the City Prison, shall be sentenced by the Court for an indeterminate period, not to exceed, in the case of the Penitentiary, the City Prison and the Reformatory, three years, and in the case of the Work-house, two years.

The jurisdiction of the Parole Commission extends over all classes of cases, male and female, which the judges in their discretion commit to these institutions. Immediately upon commitment the prisoner is subjected to a thorough investigation and a record is prepared setting forth his name, age, nationality, the offense committed; the conviction, whether by plea of guilty or trial; his previous convictions, and sentences, if any; his educa-

tion, religion and working record; and photographs are attached giving a full face and side view of the prisoner. To this record is also attached a copy of the affidavit or complaint upon which he was convicted, and a synopsis of his defense. The papers are then sent to the Parole Commission.

The maximum period during which the prisoner shall be under the jurisdiction of the Parole Commission is fixed by statute and it is the duty of the Commission to determine what part of that term shall be spent in actual confinement.

Every prisoner is granted a personal interview with one of the parole commissioners before his term of confinement is fixed. This personal interview is a most important part of the parole system. It enables an experienced parole commissioner to procure an insight into the personality and learn more of the character of the prisoner than could possibly be obtained from the printed record. And it is certainly a long step toward the correctional function of a penal institution for the inmate to learn that after the police, the prosecuting attorneys and the courts have disposed of him, there is an authority that has sufficient interest in his welfare to interview him in his place of confinement, and that this authority has the power to liberate him or keep him in custody.

At this interview the Commissioner should have in hand the full written record of the prisoner. Without this his visit is a waste of time, for unless the prisoner is confronted with his record in the hand of the Commissioner, he will immediately devise a record and defense of such a nature as he deems will best appeal to and influence his interviewer. And later, upon comparing the results of the interview with the written record, the Commissioner will discover that all he has obtained is further evidence of the cupidity of the prisoner and an example of his skill as a fabricator. But, with the record in hand, the Commissioner is the master of the situation, the prisoner usually realizes the futility of falsehood, and there is a good chance of accurately ascertaining the cause of the downfall and the possibility of reclamation by probation after a reasonable term of confinement. The case of each prisoner is reviewed at a meeting of

the entire Parole Commission, taking into consideration the written record and the report of the personal impressions and opinion of the Commissioner who interviewed the prisoner.

As this whole system is in the nature of advanced probation, the prisoner is not allotted any definite time in days or months. His term is fixed by a system of marks, ten marks per day being the unit fixed upon which to base a sentence. For instance, if it is the opinion of a majority of the members of the Parole Commission that a prisoner should be confined for about one year of his term, he is assigned three thousand six hundred marks, which, by ordinary good conduct and obedience to the rules of the institution, he will earn within a year on a basis of ten marks per day. He may, however, reduce this term considerably by earning from one to three additional marks per day for extraordinary diligence or service to the institution. That is to say, a man with a knowledge of bookkeeping may be assigned to do clerical work, which, if properly performed, may earn him as many as thirteen marks per day, thus reducing his time of detention nearly one-third. Others with trades, such as plumbers, carpenters or painters, may render such service to the institution as to warrant a similar reward. On the other hand, a disobedient, unruly and incorrigible prisoner may be penalized for his various infractions to such an extent as to reduce his marks to the level of zero, and thus be compelled to spend his entire term in the institution. You will observe that the penalty is in the nature of probation, as the welfare of the prisoner is entirely in his own hands, with the exception of the minimum term.

When the prisoner has earned his allotted marks, he is released from the institution and brought at once to the Parole Commission. He is then assigned to a parole officer to whom he must report for the balance of the three-year term. The Parole Commission has absolute jurisdiction over the prisoner throughout the entire three years. His allotment of marks may be increased or decreased at any time. This power works out very beneficially in actual practice, for in many cases when the time is approaching for the discharge of the prisoner, his friends and relatives will petition the Commission for a readjustment of

his marks, to allow him his liberty in advance of the actual time earned. The friends usually learn in some mysterious way that immediate employment will have considerable weight with the Commission, and will couple their application with assurances from some responsible person agreeing to give the inmate such employment. If, however, it develops that the offer was a subterfuge for the purpose of deceiving the Commission, he may be rearrested and returned to the institution, for this or any other violation of the conditions of his parole. This possibility of further consideration near the end of a term, in addition to the marks earned, has a very salutary effect upon the inmates of the institution and makes for better order and discipline.

There is another point that might be mentioned, and that is, that there has in the past been more or less friction between the police and the probation officers. Prior to January 1918, there existed in the New York City Police Department an alleged merit system, whereby a police officer's efficiency was measured in certain ratio by the number of arrests he made for felonies and misdemeanors. This would naturally cause a police officer to magnify an offense, and would thus bring him into conflict with the probation officer. The police officer would insist that a complaint be drawn for a felony. As a Magistrate, I would put the matter in the hands of a probation officer for investigation, and his report might disclose the fact that the offense was simply a case of disorderly conduct and the prisoner was a worthy subject for probation. This, of course, would arouse the ire of the police. I have had officers come to my private chambers many times and attempt to magnify the offense of a culprit, and belittle the efforts and abilities of the probation officer.

While presiding in a certain court during my term as Magistrate, it appeared that my reputation for reducing offenses and placing on probation had preceded me. I remember that an officer came to me and asked if I would hold the cases for the grand jury, on the theory that they would be thrown out anyway, and the defendants would not be injured, while the officers would get the credit for the arrests.

This merit system was abolished in January, 1918, and there

should be no conflict at the present time between the police and the probation officers in New York City.

The question has arisen from time to time as to the availability of police officers for parole and probation work. My experience has taught me that the best possible probation officers in the City of New York can be found among the sergeants and lieutenants of the Municipal police force.

A policeman must have served at least seven years before it is possible for him to become a sergeant. His duties during that time give him a wonderful opportunity to study human nature, and he may also acquire a wide acquaintance among employers of labor.

In July, 1916, the Police Commissioner designated a sergeant in each precinct to work with the Parole Commission as a parole officer, in conjunction with their regular duties. They were not permitted, however, to visit a prisoner's home in uniform, nor to advertise the fact that they had him on parole.

The great advantage of this system was that the Commissioner could select and detail from the large body of officers men who were temperamentally fitted for this class of work. The results were most satisfactory. Over twelve hundred were placed under the jurisdiction of the parole sergeants. Of that number about seven hundred and fifty earned their release and about five hundred are still under supervision. Four hundred and twenty of these have steady employment.

The sergeants were exceptionally successful in obtaining employment for paroled prisoners, for the reason that the Police Department of the City of New York is held in high esteem by all business men. An employer would almost invariably take the sergeant's word that the applicant would make good; and if not, he had a thoroughly reliable Police Department to attend to the matter for him. The effect on the paroled prisoner in having a member of the Police Department interested in his welfare, rather than his downfall, was such as to create a sense of security.

Of the total number under the supervision of the sergeants, less than five per cent were arrested for any other crime during their parole, and less than ten per cent were returned for any violation.

THE COURTS AND THE PEOPLE

CHARLES L. BROWN, PRESIDENT JUDGE, MUNICIPAL COURT,
PHILADELPHIA

Ladies and gentlemen, this is a privilege. You represent authority from all over this wide land of ours. As a judge, at the head of a large court, it is pleasant to come in contact with so much representative authority, from so many cities and States. We can afford to relax, for yours is an association that has earned an enviable reputation throughout the country—an organization that is growing, and will grow, larger and larger and more all-embracing in its work and in its membership.

You, who are here, represent the connecting link between the courts and the people. You interpret the courts to the people and speak for the people to the courts. Therefore, I have made "The Courts and the People," my topic to-day.

In this day, when there has been discussed the recall of judicial decisions, even the recall of the judges, this subject embodies no new or startling idea; however, I wish to present a thought about the courts and the people from a new angle, one that has been growing upon all of us, judges, court officers, and probation officers, social service workers, and all those whose hearts are in the great work of social justice for the people.

What are we going to do to bring justice nearer the people in this time of unrest and dissatisfaction?

The old concept of the courts was that they were cold, dispassionate, far removed from the human side of the problems that confronted them. That has been all put aside. To-day the courts are being socialized. In different cities and different States the method and place of beginning has differed. In New York, the Magistrates' Courts have been socialized—brought nearer the people. In our city, Philadelphia, and elsewhere, the courts have changed. The courts have new viewpoints, broad social vision with large staffs to be helpful in the solution of the problems of the people. We have new powers of closer supervision and closer scrutiny and investigation into the acts of the individuals that come to us asking justice, or that are brought before us to have justice meted out to them.

The people of the various communities obtaining broader opportunities to receive social justice at the same time have given to the courts a much more elastic power, and in many senses a more arbitrary power over them, through the probation officers and others. The great power the people have given to our courts should be administered in the spirit in which it was given.

The very people that come before us have helped to give us that power. We have come to feel that we are doing a great deal in return for our clients, and for those we are called upon to judge, when we provide social supervision, institutional care, medical oversight and treatment.

Having all this power, we must not consider the family, or the man or the woman, or the child as *our* Court's problem that *we* are solving. We must think of ourselves as if we were on the other side of the bar of justice—we must ask, what does this man or this woman or this child think of his or her own problem? Though we possess the authority to decide for them, we should ask, "What do you think of your own problem?" "Of your own situation?" We must even ask, "How will you solve it?" "How do you want the Court to help you get out of this situation or this difficulty?" We must keep in mind the thought, "What does this man or woman expect from justice?" This may sound radical to those not familiar with our modern advance in juridical procedure. But those of us familiar with human problems and the law know that just as we have discarded nearly all the bandages of procedure and legal evidence in our children's courts and in our family courts, so must we now be ready for a new step. We must admit the man or woman who is before the court into a place where he or she may have a share in shaping the legal decision. The legal decision is the man's future. No man's future in America can be denied him. If asked what America stands for I would say, America is the land where the individual has the self-determination of his own future, and that is also the right of the man or woman who has made a wrong step, that is also the right of the person who has offended the law. This is one of the great problems facing the administration of justice to-day.

Justice, in the modern social court, should lay aside her sword

and cast off the bandage from her eyes. She should investigate through her probation system before trial, and not only after judgment, and she should weigh her evidence in the suppliant's presence, and she should let her suppliant see what she's about.

The Salvation Army says, "A man may be down, but he's never out."

There is unrest all over the world. People are restless under the restraint and binding strings of authority. The world has grown. People ask of the Government, of the courts, of you and of me, let us share in the solving of our own problems. They want to do their own social work. "We want to decide our own problems," they say. When we become disturbed at this, let us recall what the Talmud said more than a thousand years ago, "The greatest charity is to show a man how to help himself. We have come to the day in our courts when the judges must think of what the man on the other side of the bar of justice thinks of the solution of his own problem, and it is through the probation officer that he discovers this.

I say this to you as the judge of a court that has a complete and elaborate social mechanism. We have social workers, medical experts—the greatest in Philadelphia—investigators, interpreters, probation officers, psychiatrists, psychologists and the co-operating service of social service experts. But our ideal is not to use the service for ourselves, but to use it so the individual whom the court desires to benefit may have the service for the solution of his or her own problems. It would be all worthless if it were not so exercised.

Our psychiatric department has been making a detailed study. We are studying impulses—conduct as expressed in personality—inclination. We want to know in which direction people are inclined, where the good and bad impulses lead them. The modern emphasis is on personality, on its value and sacredness; the new insistence is on the right of independent judgment. Of course, we all know that there are those who lack the mentality or the will for it. But how many are there who come to our courts who have both? There are very many, and it is those whose futures we can mar by overzealous justice.

Self-determination of the individual is sound American doctrine. It rings through the Declaration of Independence. It is the spirit of every paragraph in the Constitution.

It is often said that England has an unwritten Constitution that makes England a great democratic country. During the war, the thought has at times been expressed that England is more democratic than we are because England's unwritten Constitution is more elastic than ours. But we also have an unwritten Constitution. We have our unwritten American ideal, and all that has been said is summed up in the American ideal of individual self-expression and liberty, responsible to conscience and the State only. The world has never known a greater ideal.

There are many social courts in America imbued with this new ideal of justice. In many cities, we in Philadelphia, others in Cleveland, Cincinnati, Chicago, New York, Boston, the probation officer's task goes behind and beyond the court. In Philadelphia, his task nowadays does not begin after sentence is passed. He works with all the organizations, civic, children's legal aid, societies to protect children, etc. He and they plan with the individual, and in very many cases the judge's decision depends on these plans and reports and may be predetermined by them. But we all hope to see the circle of united endeavor widen and widen so that the individual may receive the greatest benefit.

Revolving the thought in my mind, it impresses me what a wonderful cohesive power all this co-operation has, and, seeing how representative you are, I thought what great stimulus this national organization of ours gives all this co-operation, that it would help us all to do greater and better work if we called into the membership of this national organization more of the people that are working with us. Not only those in the courts, but in the District Attorney's offices, in the legal aid societies, in the desertion bureaus, in the children's societies, in the psychopathic laboratories and elsewhere. This organization has a wonderful power for national co-operation and good in the broad field of social justice, and I hope you will expand and grow to perform even a greater work.

In conclusion, I will read you the poem of Sam Walter Foss,

who had his inspiration for its writing from Homer, and if you have your heart in your work you are living this life to-day:

THE HOUSE BY THE SIDE OF THE ROAD.

"He was a friend to man, and lived in a house by the side of the road."

—Homer.

There are hermit souls that live withdrawn
In the peace of their self-content;
There are souls, like stars, that dwell apart,
In a fellowless firmament;
There are pioneer souls that blaze their paths
Where highways never ran;—
But let me live by the side of the road
And be a friend to man.

I see from my house by the side of the road,
By the side of the highway of life,
The men who press with the ardor of hope,
The men who are faint with the strife.
But I turn not away from their smiles nor their tears,
Both parts of an infinite plan;—
Let me live in my house by the side of the road
And be a friend to man.

Let me live in a house by the side of the road,
Where the race of men go by—
The men who are good and the men who are bad,
As good and as bad as I.
I would not sit in the scorner's seat,
Or hurl the cynic's ban;—
Let me live in a house by the side of the road
And be a friend to man.

—Sam Walter Foss.

WHAT THE NATIONAL PROBATION ASSOCIATION
SHOULD MEAN

JOHN J. GASCOYNE, CHIEF PROBATION OFFICER, ESSEX COUNTY,
NEWARK

The main function of the National Probation Association is to bring together every year the active workers in probation and to discuss their common problems. This is of course the best way to get new ideas before the group most interested, and to learn of one another's successes and problems. In ten years'

time the Association has rendered valuable service as stimulator of better work throughout the country. The directory of judges and probation officers, the published proceedings and the published reports have all been helpful.

But the main function of the Association now is to suggest to other agencies much bigger work than it can do itself. The inquiry into children's courts made by the Children's Bureau the past year was originally suggested and planned through the Association. We can never expect the Association to become itself a large well-financed organization for propaganda on probation. But we can be of immense service by thinking out useful lines of progress for other agencies active in our field.

What the average over-burdened probation officer needs besides our annual conferences is definite suggestions as to how the great stream of delinquency and neglect with which he has to deal can be better stopped, and his burdens lightened. The recent survey article on the possibility of getting the schools to take over much of the juvenile probation work is a hopeful suggestion. Such articles should be reprinted by the National Association and distributed or sold at cost to members. We could afford to send out a quarterly printed notice of reprints, important articles, books and reports which judges and probation officers would find useful. A series of pamphlets or leaflets on important topics, on standards, on new experiments, could be gotten out without much cost, if well advertised and sold. Our special committees could present their recommendations in leaflet form during the year, so that discussion at our conference could be better focussed.

As always, we need money for such work. If we had a definite program, and an exact estimate of its cost, we could get the small amount needed from a few of our wealthy philanthropists. We have never approached them yet. A thousand dollars a year would be enough to make our work a vital factor in probation continuously. Should we not make that effort, based upon a program of publicity and publications?

We will have to continue using the services of volunteer officers, of course. While we have men like Mr. Chute to draft, and employers like his commission willing to let him use his time

and office for national work, we can keep moving. But if we expand our activities, he will need assistance and we must find a way to give it to him—either in the employment of a part-time assistant, or in finding other capable persons with an office staff able and willing to relieve him of certain definite portions of the work.

The need for expansion in the field of publicity is urgent. We can be more effective with little effort. Can we find the way to it here and now?

SHOULD THE SCHOOLS TAKE OVER THE WORK OF THE CHILDREN'S COURTS?

MISS HENRIETTA ADDITON, DIRECTOR, DIVISION ON WOMEN AND GIRLS, UNITED STATES INTERDEPARTMENTAL SOCIAL HYGIENE BOARD, WASHINGTON, D. C.

Practically all confirmed criminals begin their careers in childhood or early youth. There is but little doubt of this fact. Most criminal statistics in this country cannot be relied on, but seem to indicate the truth of this statement. Figures from other countries point the same way. Moreover, in trying to gather statistics on delinquency, it must be remembered that some of the worst young offenders have managed through family protection to escape contact with the courts.

Field Service of the Interdepartmental Social Hygiene Board is a continuation of the Section on Women and Girls of the Commission on Training Camp Activities. Approximately 30,000 delinquent women and girls passed through the hands of the local workers of this section during the past year, but intensive work was attempted on only 6,000 cases. It is interesting to note that some of these were as young as 7, 8, 9 and 10 years, but the average age is 21, while the average age at the time of their first sex offense was 16, indicating that we are frequently getting hold of them after the most crucial period.

We all now recognize the value of the fundamental principles of probation. We know that in making disposition of a case, all manner of environmental factors must be considered:—poverty,

improper parental oversight, bad companions, defective education, uncongenial vocation, bad housing and harmful neighborhood influences. Also in many cases, we find that the physical and mental condition of the delinquent has been affected by heredity. Without this information the decision of a judge affords neither protection for society nor reformation for the offender. As a matter of fact, even when we have this information, is it possible to really reform a very large per cent of those with whom we come in contact? A few judges and probation officers, because of their unusual personalities, have accomplished splendid results with individual children who come under their personal influence, but do not most of us find only relatively few such cases?

The fact that when we go into the records of our adult offenders, we find that so many of them have juvenile court records shows that in a large per cent of cases we are not successful. Should we not then as probation officers and social workers try to find the most effective branch of the government under which to administer the fundamental principles of probation rather than maintain things as they are from thoughtless custom or a lazy unwillingness to look for better means.

In most places the functions of the various children's agencies are vague, on the one hand frequently overlapping and on the other entirely neglecting some important phase of child welfare. Should we not have one central agency in the community which can come in contact with every child good or bad, sick or well, rich or poor and act as an advisor and clearing house to secure for that particular child the thing most needed to correct his defect or develop his particular talent?

If you read over the program of almost any child welfare conference you will see a session devoted to "The Delinquent Child," one to "The Dependent Child" and still another to "The Defective Child." We might think the child world was composed of these separate groups plus the children of our own friends, whom we would term normal children, but we know that the children of any given community cannot thus be labeled and pigeonholed.

The dependent child is frequently delinquent, the delinquent child is often mentally or physically defective. Mr. Murphy

in a recent, excellent article says that "Case work for unmarried mothers should be governed by the same consideration as case work for married mothers." So too should case work with delinquent children be governed by the same considerations as case work with dependent children. In most instances delinquency is no more the fault of the child than is dependency and necessary steps should be taken in each case to discover and remove the cause without giving the child a court record. While in most places the juvenile court conviction does not mean that a child is convicted of a crime, the laws frequently stating that "the delinquent child shall not be treated as a criminal," there is no doubt but that a juvenile court record carries with it a stigma. That is shown by the reluctance with which a child is brought to the court. Only when he steals from or injures the property or person of a stranger is he brought in in the early stages of delinquency. Parents, teachers and friends all wait until the delinquent acts have become a habit. Girls are seldom referred except for sex offenses and larceny, and girls and boys of well to do families are almost never brought to a juvenile court, yet many of them are indulging in practices which are unlawful and extremely harmful to others.

Intelligent probation officers have done everything in their power to make their communities realize that there should be no stigma attached to a juvenile court record, but I do not believe that will be possible as long as "the court" connection remains.

Children must be corrected and sometimes punished. Those in charge of them should have no sentimental doubts on this point, but realizing, as we do, that children should not be considered criminals and that juvenile courts are to protect rather than to punish, must we continue the correction of juvenile offenders as a part of a court system?

The preamble of the English neglected children and juvenile offenders Act of 1905 says, "To make better provision for the protection, control, education and reformation of neglected and uncontrolled children and juvenile offenders."

The twenty-first section of the Illinois Juvenile Court Act says, "This Act shall be liberally construed to the end that its purpose

may be carried out, to wit:—that the care, custody and discipline of a child shall approximate as nearly as may be to that which should be given by its parents." Again in the Juvenile Court Law of Colorado the same spirit is shown. It provides that, "The law shall be liberally construed in order that the care, custody and discipline of the child shall approximate as nearly as may be to that which should be given by its parents and that, as far as practicable any delinquent child shall not be treated as a criminal, but as misdirected and misguided and needing aid and encouragement and assistance.

Is it possible for the care given by a court to approximate that which should be given by a child's parents? The probation officer believes that ugly symptoms have causes and that it pays to discover these causes and remove those that can be removed, but is the probation officer in the best position either to discover what these causes are or to help remove them?

At best their contact with a child is slight, they have no part in his life until he becomes a delinquent. They learn what they can from others as to the causes of his delinquency and try to put him in touch with suitable agencies, but they themselves are not part of a system which can supply the recreation, special education or training which is required to meet his needs.

It is true that some courts are developing their own medical and psychopathic clinics, but why should such service be provided separately for the delinquent group?

Then there is the fact that the responsibility for the final decision rests upon the judge and if he does not agree with the probation officer's recommendation he does not act upon it.

From the legal standpoint this is perfectly fitting, but is it from the social standpoint? I do not believe that a judge usually refuses to accept the recommendation of a probation office because he feels the actual legal evidence is against it, because as a rule in juvenile cases the rules of evidence receive little attention, but he refuses rather because of a wish to give the child or parents another chance and because of a secret feeling that he understands the needs of that particular child whom he has seen perhaps two or three times, better than the probation officer does. Is it fair

for anyone to have his future determined to such an extent by the fact that he has or has not an attractive or appealing personality. Would it not be better to have the department or persons upon whom falls the responsibility of making such decisions in very close touch with the child over a period of years, in a position to observe his favorite amusements, his special abilities and mental capacity? I know of only one way in which this can be possible and that is to have the principles of probation work carried out by a department of the children's own branch of the government—the schools. If I may be pardoned for a personal reference I should like to add that I came to this decision while still in charge of the probation department of one of our largest juvenile courts. The experience I have had during the past year in helping to direct the work of the federal government with delinquent women and girls in the camp towns has confirmed this belief.

However it has been the policy of our Section to stimulate an interest in and an understanding of the principles of probation and to urge the appointment of well trained probation officers. Although I do not believe the probation system in the juvenile courts meets the needs of the delinquent child, it is so far better than anything which has gone before that one would hesitate to limit its extension at least until a movement towards a more effective system was well launched and any such movement should come from those of you who are leaders within the probation field, rather than from without. But the newer ideals of centralization and efficiency in social work make me feel sure that come it eventually will. Let us rid our mind of all bias and look carefully into the advantages and disadvantages which will accrue.

Jane Addams in "The Spirit of Youth and the City Streets" says: "No other nation has so unparalleled an opportunity to do through its schools what we have done, for no other nation has so wide-spreading a school system. Education alone has the power of organizing a child's activities with some reference to the life he will later lead, and of giving him a clue as to what to select and what to eliminate when he comes into contact with contemporary social and industrial conditions. And until educa-

tors take hold of the situation, the rest of the community is powerless."

Dr. Thomas Elliot, in 1914, published a doctor's thesis in which he questions if the schools, rather than the juvenile courts are not the child caring agencies of the future. Speakers at the National Probation Association conferences have frequently set forth certain advantages that the school would have, but none have seemed to think the time ripe to take the first step. But isn't it time that we, at least, give serious thought to the question? Social workers have gone into every other institution in the community with suggestions as to ways in which it could be improved, but for some queer reason have steered clear of the one which should have more influence in moulding public opinion and shaping character than all the others combined. Social workers have never hesitated to tell the judge how he should run his court, the physician his hospital, the employers his factory, and to create a public opinion on all these matters, but they have had a great reluctance about interfering in school affairs. Even if they knew some way in which the schools in their town could be improved they seldom considered it their business to make suggestions. They have gone to teachers with set questions regarding individual children, but seldom made it clear just what the aims and ideals back of their particular job were and how the school could help in bringing these ideals to pass.

There are, of course, among our social workers a few notable exceptions. Mrs. Wooley will tell you about the splendid work they are doing in Cincinnati. In Philadelphia, the White Williams Foundation for Girls, which has recently emerged from the Magdalen Society, founded 119 years ago to reclaim fallen women, is now seeking to prevent girls from entering that life, and they are reaching these girls in a most effective way through vocational guidance work in the schools. Youngstown, Ohio and several other places are also conducting experiments in this direction. That the schools themselves are beginning to feel the need of some social service work is shown in the reports of many of our field staff. Such newspaper extracts as, "Conference arranged with Superintendent of Schools and the Physician in

charge of the Psychopathic Clinic for the examination of backward children;" and "The City has appropriated money to provide school nurses," are illustrative of many.

The questionnaire on juvenile courts sent out by the Children's Bureau was addressed to 2,394 courts. I do not know how many children come in contact with these courts, but we do know from the 1910 United States Census report that 18,009,891 attended school in the United States during the previous year.

If the methods used in probation work are valuable, as they unquestionably are, shouldn't they be applied to as large a group of children as possible? Any contact with delinquents from a national standpoint shows that, considering the country as a whole, the application of the probation system is very limited. Even in a state like Illinois, the work is confined almost entirely to Chicago. Our worker reports that in an Illinois city of 100,000 there has never been a probation office. Juvenile court hearings are held at the county seat, to quote: "I think some arrangement could be made to have them heard locally if we would pay a worker to act as probation officer. Hundreds of little boys are picked up every year by the police and put in the jail with older men, where they are held for the humane officer to dispose of. During the year 1918, 171 children were sent to the Alms House at the county seat to await disposition."

A worker in a town of 100,000 in Texas reports: "Juvenile court is held on Tuesday in the county court room for those delinquents who do not plead guilty. Hearings in county court are not private. The judge receives a fee for every sentence passed."

The state law of South Carolina, Act 429 passed in 1912, under section 7 says: "Upon the arrest of any child less than 18 years of age, the arrest of the said child shall be reported to the probate court by the officer making the arrest as speedily as possible for investigation and action under this act. But if confinement be necessary before the case can be heard, the child shall not be incarcerated in the same room with adult criminals, but in a separate room of detention. Said room or rooms shall be outside the jail or guard house."

Our worker reports: "This law has been entirely disregarded. The office of the probate judge has been given over to liquor permits, marriage licenses, settlement of estates, and lunatics, and the stampede for liquor permits has crowded out the protection of the children. We found that the juveniles had a public trial in the city court and awaited trial in jail, and that we were dependent upon the whim of the mayor as to whether a juvenile sex offender should be detained in jail or in Carolyn House (the detention house we had established)." This report was made February 1st and although a new probate judge promised his co-operation, there has been little improvement to date.

Our worker in a Virginia town of 65,000 reports: "There is no probation officer for adults. The Police Court bailiff is juvenile probation officer."

I could give endless quotations of a similar character, but I do not wish to base the case for the schools on the fact that there are so few juvenile courts in which the approved methods of probation are actually being carried out, nor upon the fact that in some places even our juvenile courts are hopelessly involved in local politics, for the same might be true though I do not believe it as frequently is true of boards of education. I wish rather to base the case for the schools on the fact, first that upon the school rests the responsibility of training future citizens and it will not be fulfilling its obligations if it neglects any phase of that training, second that under the school the principles of probation can be applied more successfully and can reach a far larger number of delinquent children, third, that the number of delinquents would then be reduced to a minimum, for if the schools assume this responsibility they will soon realize that recreational and vocational opportunities and other measures of prevention must be provided by them. The advantages offered by a department of adjustment in the schools seem endless and I am unable to see one advantage of keeping the correction of children as a court function, providing, of course, that we accept the hypothesis that children should be corrected rather than punished.

In going over lists of juvenile cases with which I have had personal contact, I am unable to recall a single one that I feel

needed a court rather than a department of adjustment, although there were many cases which I formerly cited to show the effective work done by the juvenile court. One boy in particular stands out in my mind. His name was Percy, but he wasn't the Percy usually visualized. He had been run over by a heavy truck when quite small; even with his specially constructed shoe he limped. When he was about 15 his parents lost all control of him. He smoked cigarettes, would not go to school, spent his time hanging around pool rooms and circus tents. But he was interested in one thing and that was wireless telegraphy. His parents, much disgusted with him, considered this only a fad and it took our best efforts to persuade them to let him attend a wireless school. We interested the president of the school who agreed to let him do office work to pay for his tuition. Percy went into it heart and soul. The president of the school grew so fond of him that he took him into his own home. He improved rapidly and when I left the court he was, at 17, a wireless operator on an oil boat, earning \$60.00 a month and expenses, more than his father ever earned.

This is an example of a successful juvenile court case, but wouldn't it have been equally successful under a department of adjustment? In fact, if there had been such a department he would never have left school, for his special talent and interest in things electrical would have been discovered and provision made for developing it. I wonder how many other boys and girls there are coming to our juvenile courts who have some such longing which is now never discovered but would be brought to light under an effective educational system.

Some feel that there will be legal difficulties in the way of investing in the schools the functions of a juvenile court. I have consulted a number of lawyers on this point and they have all agreed that it would be possible and we all know that almost anything we want to do can be made legal if we get the right lawyers.

Another argument is that the schools are not doing well the work for which they are now responsible. This seems to me an argument for rather than against the proposed changes. As

long as the schools ignore certain phases of the child's welfare, they cannot do well the work they have already undertaken. A normal child enters school full of enthusiasm with an active imagination and an inquiring mind. The average school does not answer his questions and it deadens his imagination. To most children it is a place to be avoided and escaped from entirely as soon as possible. There is usually a rigid, inflexible system. If a child fits in, well and good,—he is accepted. When he defies their system he is gotten rid of. The school has no incentive to develop ingenuity and resourcefulness in the care of troublesome children when there are probation officers whose business it is to care for them. My probation officers used to come to me in despair with the word that a school principal had called up to say that one of the boys was unmanageable and that they had sent him home, and as he was a juvenile court boy the probation officer should look out for him. The fact that he had a court record made the school all too frequently feel that he was no longer their responsibility and in such cases the task of a probation officer is a difficult one.

The failure of the school to reach and keep the children is brought out vividly in the histories of the delinquent girls in our camp towns. The story of having left school at twelve or even younger and starting to work at uninteresting tasks for which they were poorly paid and then drifting into prostitution is all too common. Merely enacting compulsory education and child labor laws will not meet the need. The schools must interest and help to form the character of the children entrusted to their care. They must prove to the parents that they are really educating and training their children for the battles of life. If parents can be convinced that their children will be capable of earning more at 21 if they remain in school until they are 16 and 18, than if they are taken out at 14, many more children will be kept in school. But parents are not convinced of that and I am not sure that I am in every case. Frequently boys of 13 are arrested for some slight offense and in the course of investigation it is discovered that they will not go to school. They are over-grown and backward; school offers nothing of interest or

use to them. Yet the state law demands that the boy go back to school and we try to see that he does go back, yet I often secretly wonder if he really is any better off in a school which means so little to him than he would be at work.

Another question which arises is: can the schools afford a department of adjustment? We know that teachers are underpaid; that many schools do not have full time sessions; and that much necessary equipment is lacking. It seems difficult for us to find either the time or money necessary to train a child's imagination, to develop his finer instincts, and to equip him with a technique which will make him an asset to the nation. It is easier to invest in a correctional system. Look at the amount of money spent and the number of people employed to protect society from the criminal. First, there are police, detectives, bailiffs and constables, whose duties are to maintain order. Then there are the magistrates and minor officials who conduct preliminary hearings; the grand jurors with their clerks and attendants; the district attorneys and their clerks; the common pleas, quarter sessions and Federal courts, all with their vast machinery of jurors, process servers, tipstaves, court clerks and judges. Then the reformatories, jails, prisons and penitentiaries, municipal, county, state and federal, with their jailors, clerks and superintendents. Some of these will always be necessary for the hearing of civil cases, but couldn't we well spend even vast sums in an effort to cut down the number necessary simply to determine the commission of crime and the identity of the criminal?

However, a department of adjustment could reach a far greater number of children with the same financial outlay that is being made at present. We are all familiar with the overlapping of the truant officer, probation officer, and agents of other children's societies. Into one department of adjustment would be combined the probation officers, the truant officers, the school nurses, the medical inspector, and all the rest of the specialists on physical, mental and social troubles of children. If all the people interested in the welfare of children united and agreed on a plan of attack, think of the punch it would have!

I realize, as you do, that it will be difficult to convince many

communities of the wisdom of this step, but isn't it difficult to convince many of them of the wisdom of establishing juvenile courts. I heard Judge Ricks say in a speech recently that a judge in Virginia characterized the proposition to give the juvenile courts of Virginia full chancery powers as "monstrous." Could he say more regarding the suggestion that this work be done by the schools?

A word as to the organization of a department of adjustment which would, of course, vary according to the needs of the community. To be successful it would require the services of high class executives and well trained social workers. It should be under the department of education with a director in charge and workers in every school. In the larger cities a considerable administrative staff would be necessary. In the rural schools it might be advisable to have the direction of all departments carried on from the county seat.

It must be determined at what age the department would assume jurisdiction. I began with the thought that it would be at six or the age of entering school, but a friend who has been doing vocational guidance work recently said to me that she felt her work should begin with the birth of the child,—in fact, she was at times inclined to the belief that to do vocational guidance work well one should go into pre-natal work. Its jurisdiction should continue until at least the age of 18. I know that many of you will consider this an ideal which cannot be attained, but unless every youth in the United States has a chance to go to school, at least until he is 18, we have no right to say that this is a land of equal opportunity. All children should come under its care and it should act as a reserve parent, not looking after the delinquency or the dependency, but concerning itself with every aspect of its own children's welfare.

The child should be given a mental, physical and social examination on entering school. Duplication would be avoided when possible, existing hospitals, clinics and public health officers would be used, adding to their staffs if necessary rather than the establishing of new medical equipment. The department of adjustment would act in the capacity of liaison officer. They would

see that the children who needed medical treatment received it and that the parents were instructed as to care and proper feeding; that children with tubercular tendencies attend open air schools; that physical training is taught; that the children are made as healthy as possible and then given the knowledge which will keep them healthy.

The early detection and proper education and care of the feeble-minded would be one of the important phases of the work of such a department. Any of you who have taught school, as I have, realize the time and nerves expended by the teacher in trying to make normal pupils out of mental defectives, but do we also realize how much of the normal pupils' time we have wasted while we were making that effort? In handling incorrigible children who are mentally normal, there would be in the school a firm basis of long acquaintance with and accumulated knowledge of the child and his particular needs. The investigation of his environment would be accomplished in a far more natural way. Any parent welcomes visitors from the school and the contact is such that they would be in a far better position to raise the standards of the family than any other agency.

The development of preventive measures, such as providing gymnasiums, opportunities for organized play and dramatics would be inevitable. The child's love of adventure, desire for self-expression, which so often gets him into trouble would then be turned into normal healthful channels. Mr. Fosdick, who has just returned from Europe, says that theatrical shows put on by the men themselves did more than anything else to keep up the morale of our soldiers in France. They are far more popular than the shows put on by professionals. Long lines of men can be seen standing even on rainy nights to see them. He said some of the prettiest girls he has ever seen were privates in the army.

A department of adjustment would put new life and interest into regular teacher's work and would so lighten their load that they would have time to develop new methods in teaching.

The Federal Board for Vocational Education reports that there are 1,741 schools in the United States already giving vocational guidance courses. The extension of vocational guidance work

would be a necessary and an important part of the new program, but I shall not go into that.

"Contributing to the delinquency of a minor" and abuse and neglect on the part of parents frequently require more drastic punishment than do certain types of robberies, for instance, and there would seem to be no reason why such cases should not be heard in a regular criminal court. In this connection it might be asked whether children involved in such cases would not suffer by the contact with other courts. The present system is no guarantee against this, as many cases in which children are involved are not handled by the juvenile courts even in those states where juvenile courts exist. Cases of statutory rape are usually tried in criminal courts and under most unfavorable conditions.

This report received from one of our workers is typical of many. Mr. S. was tried for keeping a house of prostitution with his two daughters, Agnes and Bernice, aged respectively 14 and 17 years, and a young friend of theirs Ida W aged 16 years as inmates. He was sentenced for 30 days and is now working in the chain gang. The trial was a public one, the court room filled to overflowing with men. The two protective officers being the only women present, except those who testified. The three girls had been examined for venereal disease before the trial and were found to be diseased. Their condition, the details of their examination, and the diagnosis were all discussed, and the hideous details were repeated a great many more times than was necessary to prove the points involved.

Shouldn't we see that all persons receive decent and humane treatment in the courts and jails rather than drawing a line at say, the age of 16, and taking no interest in those above it? Under the department of adjustment in the few cases of children where it would be necessary to use the extreme authority of the law, there might be a special representative of the judiciary delegated to the schools to give judicial authority to the department of adjustment plans. This representative would be in the nature of a legal advisor and might act in the same way as a master in divorce proceedings.

One of the great advantages offered by the department of adjustment is that it will reach the children of the rich and well-to-do as well as the poor. I have been startled lately by the reports from various towns of the large number of high school girls who have been guilty of frequent sex delinquency. A school recently expelled 21 girls. One of our leading juvenile court judges has become much alarmed over these conditions and realizes the necessity of finding new means to meet this situation.

It has always been easy to teach popular patriotism to children. It would be equally easy during the formative period to instill high ideals of morality and of civic responsibility. May I close with the oft quoted but little heeded words of Jane Addams: "It is as if we ignored a wistful over-confident creature who walked through our city streets calling out, 'I am the spirit of youth! with me all things are possible.'"

HON. JAMES HOGE RICKS, JUSTICE, JUVENILE AND DOMESTIC
RELATIONS COURT, RICHMOND, VA.

I have read papers on and relating to this subject with a great deal of interest. I presume every right-minded juvenile court judge would count that day the proudest of his life when he should have worked himself out of a job. I seriously question, however, whether the school is equipped to handle all of the many varied problems which are presented to the juvenile court from day to day. The theory of the plan is certainly very plausible, but is it entirely practical and workable?

One of the reasons advanced by Miss Additon in favor of the change is that a certain stigma attaches to the child who has a juvenile court record, even though not to the same degree that the appearance in the police court would hold. That is true. But does not a certain amount of disgrace, or stigma, inevitably follow the violation of rules of conduct and standards of morality, which each community has set up for itself? Even children who are merely unfortunate, not vicious, are likely to be treated with pity, if not contempt, by their normal companions. Witness the child in the special class for feeble-minded or backward chil-

dren, who is taunted with the remark, "Oh you belong to the dummy class." How much more surely will this same feeling of contempt follow the child who because of misconduct had to be handled in the adjustment department of the school. Children, themselves, by their very words and acts, sooner or later advertise to the public their real character and so the agency which handles them is soon known by the company it keeps. This is most regrettable but it is true.

It is the theory, also advanced by the proponents of the new plan, that it would then have a better opportunity to reach the cases of girls before they reach the advanced stage of incorrigibility. If by this it is meant that more girls would be brought into the department of adjustment than are now brought into the juvenile court, I question whether this would be a distinct advantage for the reason that, as previously stated, a certain amount of stigma would surely follow the girl who would have to report to this department. Is it not well that the case of wayward girls, or girls who have committed some act of indiscretion, should be handled unofficially and, as far as possible, by their own parents?

In this connection I might say that it seems to me highly desirable that there should be an office, or a bureau, to which parents could come for advice in dealing with the girl or boy who is mildly delinquent or is just beginning to go astray, if this class of cases could be handled by the department of adjustment in the schools without any publicity or without any hearing of testimony: in other words, if the bureau of information, or advice, can be established in the school system, it will undoubtedly become the means of prevention. The point I desire to make clear is that girls who are mildly delinquent should not be subjected to the ordeal and stigma of a trial, whether in the juvenile court or in the department of adjustment.

In the matter of dealing with incorrigibles or truant children, it is not necessary to confer upon the schools any authority more than they already have. In the states in which the compulsory education law exists, the school attendance officer can and does undertake to deal with the truant child or indifferent parent. In Richmond the great majority of such children are handled in a

special class, established by the school authorities especially for children of that type. This class has been handled most successfully by a teacher who possesses fine personality, patience and tact. It is only as a matter of last resort that truant children are brought into the juvenile court of our city.

It is true that the teacher to-day does have a better approach to the home than does the probation officer on his first visit but is not the teacher in danger of losing that avenue of approach by stirring up against herself the animosity of other people—of the family of the child—if it becomes necessary for her, from time to time, to appear in court, as a witness in the child's case, telling all that she knows about him, some of which may be favorable, some the contrary? It seems to me that this is one of the most serious objections to the proposed plan, namely—that it would charge the school authorities with the maintenance of discipline, not only in the school building and the adjacent premises, but also of the entire neighborhood as well.

Our friends have not told us just how cases of disorderly conduct, assault and battery, larceny, housebreaking, murder and arson are to be handled, whether by the school principal of each school district or by one official in the headquarters of the school system. In either case it seems to me that it necessarily brings to the schools a large amount of work which in no sense belongs and which is apt to bring with it much that would handicap the teacher and the school principal in performing his own usual duties. The schools should, and do, endeavor to secure the heartiest co-operation and support of their patrons. If the schools must be charged with the settlement of the difficulties of the children of these patrons and if the school must commit an older brother to an industrial school or an older sister to a like institution, will not the teachers find it far more difficult to win the confidence and cordial support of the parents and the affectionate and cheerful obedience of the younger children?

Miss Additon and Miss Deardorff would transfer back to the police court all classes of cases of adult offenders, which are now handled in juvenile courts, such as nonsupport, contributory delinquency, child labor law violators and the like. With a wave

of the hand they dismiss the objection that all children who have to testify in such cases should not be required to appear in police court or like tribunal, by saying "the proper solution consists in cleaning up all the courts." I am sure that every one will agree with them in that. But how long, may I ask, will it take to accomplish this much desired result and what protection is to be thrown around the unfortunate children who must appear before such tribunals, as witnesses, in the meantime? If in a generation when the juvenile court idea is still fighting for existence and finds its full and complete development only in the larger cities and most thickly populated communities, how long, indeed, will it take "to clean up all the other courts,"—to rid these courts of the panderer, the bootlegger, the gambler, the professional bondsman, and the shyster lawyers, who flock to these courts in the interest of their friends, who are in trouble.

May I ask whether proponents of this new plan propose to have any hearing or trial in their new system or will it be a star chamber procedure in the department of adjustment, of prosecuting attorney, judge and jury? Will the child charged with a serious offense, under any circumstances, be permitted to employ counsel to represent him in proceeding before this new court? I am frank to confess that there are cases where the evidence is so conflicting—where it is evident that certain witnesses are not telling the truth—that it is most helpful to have an attorney who can rigidly, but with fairness, cross-examine the witness and bring out the real facts in the case. It is at times most embarrassing to the court to have to conduct the examination of witnesses, without being posted previously as to what the witness knows, or is thought to know, or to cross-examine vigorously witness, who we are convinced has not told the truth. This course puts the judge in the position of taking sides and of trying to develop a certain set of facts which he believes to be the true facts but in which presumption he may be entirely mistaken. I am frank to say that there are certain cases, even of children, when it is most helpful to have counsel present on both sides and to be able to sit as an absolutely impartial arbitrator of the question at issue. Under such circumstances the

court is still at liberty to ask questions, which may throw any additional light on the situation, but he does not have to combine the qualities and perform the duties of judge, prosecuting attorney and defending counsel all at one and the same time. I would not have it understood that this class of cases is the rule. It is not but there are a sufficient number of them to justify their consideration in this connection.

I think we have a very vivid illustration of the danger of charging one and the same man with securing the evidence, hearing the case and passing of sentence, in the cases of those foreigners who have recently been ordered deported by agents of the Department of Justice. I am informed that these men, in their preliminary hearings, were denied their right of counsel. Their cases summarily heard and disposed of by a representative of the Department of Justice, sitting in chambers, with no opportunity on the part of the accused to present evidence in their own behalf. When finally, through the courage and persistent efforts of Miss Lowe, the records in these cases were reviewed by impartial and unbiased officials and the cases of the accused fairly presented, the majority of these men who had been sentenced to deportation were released.

Our friends have not told us just what their methods of procedure will be in the new department of adjustment but I desire to register a warning right here against the entire sweeping away of all of the rules of evidence, of all the rights guaranteed to our citizens by the Constitution. True it is so decided already that in a chancery proceeding a child can not claim a trial by jury but he can be represented by counsel and an appeal will still lie to the Supreme Court, so that every case is subject to a review by some other tribunal. It seems to me that this is eminently just and proper, for I know of no man who is so omniscient, so infallible, that he can make no errors in judgment. Surely and certainly I for one do not want to be put in the position of passing finally upon the destiny of several thousands of children, with the knowledge that should I make an error of judgment that child has no redress, no right of appeal to any other tribunal.

I doubt whether the average school man, whose duty it is

rather to give orders than to weigh evidence and decide between contending factions, whose temperament must be more or less autocratic, rather than judicial, whose whole training and point of view deals with theoretical standards and ideals rather than practical affairs of life, is the person best fitted for the performance of the duties and function which necessarily devolves upon the man who must decide the destinies of others. To illustrate:

A few years ago when the police justice of Richmond was holding a special session of his court, for the trial of juvenile cases, he had gathered around him a committee of advisors, who were really able and broad-minded men. In one instance a boy was brought before the court, charged with housebreaking and larceny. He had committed two offenses, either one of which was serious enough to send a man to the penitentiary. The probation officer's investigation showed that he had a good home and a fairly good school record. The examination of the physician and mental expert showed that he was below normal and infected with hereditary sickness. When the report of the probation officer and the mental and physical diagnosis was presented to the court, the most scholarly and brilliant man on the board of advisors recommended that this child should have institutional care. This, however, was the boy's first offense and the wise old judge decided that a year's probation could do no harm; it might work the reformation of the child. This boy made the best record of any probationer that I have ever had. He has never been in any subsequent trouble so far as I know. In the view of the school, however, the boy should have gone to the reformatory. As it was he went back to his place in the carpenter shop and in the trade night school and is to-day a self-respecting, self-supporting citizen.

May I ask what is the plan of procedure for this new system? What is to be done with a sixteen or seventeen-year-old boy who is, or should be, working but is appearing before the court for every imaginable offense—disorderly conduct, burglary and murder? How is this or how can it be a problem of the school? I am fully convinced that every penal institution should have as a part of its equipment a school and a department of vocational or pre-vocational training but do our friends contend that the schools

should be charged with the management and control of all of our penal institutions simply because education should be a part of the policy of these institutions?

It seems to me that the real solution of this problem is the close co-ordination of the school and juvenile court and complete working harmony between truant officer and probation officers, so that there is no overlapping, and use by the court of the psychological clinic of the school and the carrying on, by the school, of proper classes in the detention homes of the courts. Further, I desire to go distinctly on record as favoring the hearing of the cases of children by the chancery method of procedure rather than by criminal or quasi-criminal. In such a proceeding the personal liberties and interests of the child can be safeguarded and protected and still the hearing is as nearly private as it may be and the proceeding is as informal as one can wish. The judge in reaching a decision acts not solely upon the evidence of the case, does not pass sentence upon the child but deals with him for his own best interests and future welfare, guided by all the facts and circumstances of the child's life and physical and mental condition.

May I say, to my mind the only solution of delinquency is the removal of its causes. Let us strive untiringly to throw about the child a network of those influences which shall render it unnecessary for it to pass through either the court or the department of adjustment. Let us have public health insurance, old age pension or insurance, mothers' insurance, scholarships for the ambitious child; compulsory education for every child to, at least, the age of fourteen, finally to sixteen. Sensible instruction in matters of sex and health generally; decent houses, which shall be entitled to the name of home, adequate recreational opportunities for every child and even for the middle aged and old people as well. Finally, a genuine spirit of religion, which shall create within every human being "a new heart and renew a right spirit within him." Then, and only then, will the juvenile court or its equivalent, disappear.

In the meantime it seems to me immaterial whether you house the machinery of such a tribunal in the same building with the school or not; whether you call the man or woman who decides

the fate of an erring child an adjuster, a judge or a referee. In the meantime the essential thing is that the person who does sit in judgment or does decide the destinies of our children shall be one who has his heart and soul bound up in his work and who is ever earnestly seeking the child's own best interest and future welfare, giving him the fairest possible chance, under all the circumstances in his case; and that this arbiter shall have around him men and women of like caliber and like purpose, who shall work together with him for the molding of every young life into self-respecting, self-supporting, good citizenship.

DR. HELEN T. WOOLLEY, DIRECTOR, VOCATION BUREAU, PUBLIC SCHOOLS, CINCINNATI

The topic under discussion is not whether schools just as they are could profitably assume the duties now performed by juvenile courts. We all know they could not. The question is, can the schools develop a technique for dealing with juvenile delinquency which will eventually be more adequate than that of the juvenile court? We believe that in the case of children who are still under compulsory school age and whose offenses are of the lesser sort, the school could be a more effective agency than the court. This paper is in support of that contention.

The chief offenses for which children under sixteen years are now brought into court are truancy, destruction of property, petty thieving and sex offenses. Not all, by any means, of the children who commit such offenses get into court. Indeed, the question as to which ones are brought to "the bar of justice" is largely a matter of chance. It depends upon whether the child happens to get found out and by whom. We cannot assume, therefore, that all juvenile delinquency is now being handled by the court, or that the children who appear in court are any more serious problems than a large group who remain at large.

The modern theory of the treatment of delinquency is educational. What the community wishes to do is not to punish the juvenile delinquent but to educate him if possible in such a way that he ceases to be delinquent. The children who do not happen

to be taken to court are, from this point of view, just as important a problem as the court cases. The desirable plan would be to have some agency officially dealing with delinquent children which was in a position to discover and work with them all and to detect them as early as possible in their careers. The school has a far better chance to discover the whole group than the court.

Once discovered, we are all agreed that the first step to be taken is to find out why the child committed the offense; not the ostensible reason, but the real reason; not merely what he says about it, but how he thinks and feels about it; what his attitude was at the time and the circumstances under which the act was committed. Once this analysis is made, the problem becomes one of changing the child's personal attitude, changing his environment, or both.

In the first part of the necessary investigation, that of finding out about the child himself, and his attitude, the school has a great advantage. It already knows more about the children of the community than any other agency. It might easily know more than it does, if cumulative records were kept. In Cincinnati we are just introducing a cumulative record card which will be kept in four sections. The first contains a record of the child's school, grade and teacher; of his academic standing each year in each of the studies pursued; and of his school attendance. It is a copy of the report cards which are sent home four times a year. The second is a medical record containing a report of examinations made by the school physician, the treatment given and the results. The third is a brief outline of the educational and occupational status of the family. It calls for the occupations of the father and mother; for the ages of all the children in the family; for the occupations of the older ones who are at work, and the school grades completed by them before going to work; and for school grades of younger children who are in school. The card also contains a space for recording known delinquencies of the family and charitable aid received by them. The fourth section of the card contains a record of the teacher's estimates of ability and personality. This card begins when the child enters school and stays with him until he leaves the system. At any given

moment, therefore, his school history may be found summed up. Former teachers and principals are recorded and can be easily reached for further judgments if they are desired.

In addition to this systematic record keeping, the school in Cincinnati and in many other places has the advantage of a child study laboratory. After such a laboratory has been in existence a few years, it accumulates a series of mental test records which become of great significance. The child who is taken to the court is frequently one who already has a mental test record in the child study laboratory of the school. In the case of delinquent children, more than a mental test record is needed. A careful analysis of personality is often necessary to reveal the real motives and emotions underlying the child's acts. In making such an analysis, it is a great help to start from the point of vantage of a definite fund of objective information, such as that furnished by the cumulative record card and previous mental tests. In so far as the first step is concerned, therefore, that of obtaining information about the delinquent child, and his motives for action, the school has a decided advantage.

In the second phase of the solution—that of discovering the environment of the child and its probable importance—the court with its probation officers is much better equipped than the school. The attendance officers of the schools are too few in number and often too untrained to make the kind of field investigation needed. However, there is no reason why the schools should not be supplied with officers of the type needed. In other words, the kind of work now done in the field in the case of juvenile delinquents, could be done just as well by a school officer as by a court officer. Indeed, the development of a social work department to take the place of the old-fashioned attendance department and furnish the kind of service now given by visiting teachers and probation officers, is one of the developments of the near future.

Granting that the school could perform the task of investigating juvenile delinquency equally well with the court, is it equally true that it would undertake treatment? The needed treatment may be of several types. In some cases bringing about a change in the personal attitude of the child is the whole problem. Some-

times a readjustment at school is the solution, while in other instances only a change more or less radical, in home conditions and methods of living will suffice. Let us consider these cases separately.

Not long ago a boy was brought to our office by a distracted father who reported that the boy had begun to steal and to run away. He could find no reason for such behavior and was distressed beyond words. The family was in comfortable circumstances. The boy proved to be normal, both in school progress and in mental tests. An analysis of personality revealed a suppressed mental conflict brought about by the possession of sex information of an injurious kind, and intensified by the presence of a stepmother in the family. In that instance, helping the boy to understand the way in which his misconduct had arisen as an outlet for suppressed conflicts, was sufficient to bring about his reform. The father's co-operation in maintaining a wholesome attitude on matters of sex proved most helpful. In case the child study laboratory in Cincinnati had been connected with a court instead of with a school, the boy would doubtless have been taken to the court. It seems to us, however, undesirable to take a child to a court to allow him to feel that he has in any sense a court record unless it is really necessary to do so. Difficulties straightened out by the school carry no implication of serious misconduct. If a child is taken to court, both the child himself and any outsider who happens to know of it, interprets the situation as meaning a serious case of misconduct.

In a large group of cases now dealt with by the court, bad ideas of sex or preoccupation with an unwholesome interest in sex is at the root of the trouble. Children of this type are often brought to our office for assistance. They come with stories of staying out late at night, of beginning to beg on the streets, of playing truant and of being disobedient at home. The point of attack should be rational instruction on the question of sex, provision for a profitable use of time out of school and closer supervision on the part of some adult who understands the problem. All of this program can be carried out by the school and to our thinking with far better effect than if carried out by the court.

In one whole group of misdemeanors, the type of treatment needed is a readjustment at school. Some children give trouble because they are placed in a class which is either too far above or too far below their mental level. A very inferior child in a superior class is at a hopeless disadvantage. Demands are constantly being made upon him which he cannot meet. If he is at all sensitive, he feels his failures keenly. The result is apt to be stubborn, unruly behavior at school and truancy. The child knows instinctively that he cannot live up to what is expected of him and he has no better recourse than to appear to refuse to do so. We have seen in our office many children whose bad behavior at school has been entirely straightened out by placing the child in a special class. Occasionally the difficulty is that the child is too far above the level of his class, is not kept busy with his school work and consequently gets into mischief. Classes for superior children solve this special problem. At times a disciplinary class within the school itself is sufficient. It is not even essential to place such children in a boarding school provided there is close co-operation between the disciplinary school and the home. We have often been able to reach excellent results in a day school of this type. In all of these cases, the problem is distinctly a school problem and should never become a court problem; yet we know that many courts are asked to handle children whose misbehavior is due to such causes.

In a large group of cases the treatment required means not merely a change in personal attitude or a change in school adjustment, but further than this—a modification of home and neighborhood environment. The first step to take is to try friendly supervision on the part of an interested adult. Sometimes a skillful "Big Brother" or "Big Sister" is able to deal with the case. Sometimes a trained worker of the type of the probation officer of the court is needed. Here again it seems entirely possible for the school to co-operate with "Big Brother and Big Sister" organizations and to have on its staff, officers of the same type as the present probation officer of the court. When supervision and friendly influence are sufficient to bring about the changes needed, the school once more seems to be in as good a

position as the court to accomplish the result. In case supervision and personal influence in the home is not sufficient and it becomes necessary to remove the child from the family, the question as to whether or not court action is necessary depends upon whether the result can be brought about by persuasion or whether the family must be compelled to consent to the removal of the child. We have in our office several instances in which bad management at home and conflicts within the family have gone to such lengths that there seemed to be no hope of reforming the child as long as he was living in his home environment. It has sometimes been possible to make the parents understand this and to secure their consent and co-operation in placing the child either in a different family or away at school for a time. If the consent of the family cannot be obtained, it would of course be necessary to resort to strictly legal action and in this case the court would have to be called in.

Since it is often necessary to place children for a time under a completely different environment, it seems desirable that every school system should be supplied with a school to which children can be sent for continuous care. The difficulty with our present institutions of this type is that most of them are managed as though they are penal institutions and soon come to be regarded by the public as penal institutions. It becomes a public disgrace to send a child to such a school. The only way at present of committing children to such schools is through the agency of the court. If it were possible for the school to have within its own organization a boarding school of this type, children could be committed to it without court action whenever the consent of parents could be obtained. We believe that this would be possible in the majority of cases. In the few instances in which consent could not be obtained, the school would, of course, be compelled to call in the court for legal action. The advantage we hope to obtain from having such a school regarded as an educational institution is that children sent to it would be freed from the stigma of having been sent to a penal institution. The child who comes out of the reform school at present is apt to find himself under the same type of disadvantage as the man who

comes out of the penitentiary. We realize that calling the institution a school instead of calling it a reformatory would not be sufficient to change its reputation. There is comparatively little in a name. In Cincinnati when we chose the name "House of Refuge" for our institution for dependent and delinquent children, we thought we had robbed it of all its unpleasant connotation. Before many years had passed, however, we found that to be sent to the "House of Refuge" was regarded just as much of a public disgrace as though the institution had a less disarming name. When it was moved out to the country the name was changed to "Opportunity Farm," we felt that the problem was solved. Today, in spite of every desire to avoid it, the Opportunity Farm is in the minds of the community a penal institution, and the Judge feels that only the very worst of the children can be sent there because the effect of being placed in a penal institution is so bad. Whether this difficulty could be entirely avoided providing assignment to the institution were made through the schools is by no means certain. It would certainly be easier, however, to establish its reputation in the minds of the community as an educational rather than a penal institution if its management were that of the public school system and if assignment to it came through that agency.

In the instances in which none of these methods will suffice and it becomes necessary to assign the child to an institution which is of the penal type, action must of course be taken by the court. However, before such a point is reached, all the possibility of securing the reform of the child through educational channels such as we have outlined above, should have been thoroughly tried out.

To sum up the discussion, let me state briefly what are the advantages of developing in the public school system a method of dealing with the milder types of delinquency in children of school age.

1) The plan secures economy of effort. The group of children to be dealt with is already to some extent a problem for the schools and developing the facility of the school for carrying the solution of the problem further than it can at present seems only sensible.

2) The effect upon the child is better. Many of these children are merely children who are mal-adjusted, or misunderstood. What they need is careful and skilled treatment rather than punishment. In so far as they can be treated as school problems, they are protected from the unfavorable reaction of the community toward people who are taken to court. They neither regard themselves as young criminals nor are they so regarded by their people.

3) The keeping of adequate social statistics with regard to this entire group of children would be very much facilitated by having the matter handled as a school problem. We need to know the facts not merely about the group of young delinquents who happen to get into court but about the entire group. We ought to know for the entire group, the relation of school history and of mental status to the subsequent delinquency. Complete information on this point could be obtained if the problem were handled as a school problem.

4) The development of preventive measures would be very much facilitated by having delinquency handled as a school problem. The incipient cases of delinquency can be discovered only by the school. If preventive measures are to be developed to reach incipient cases, it must be done through the agency of the school. If the school is given proper facilities for studying delinquency and for attempting to deal with it, the development of the preventive program will necessarily follow.

5) The school itself would profit by its attempt to solve the problems of delinquents. The school needs to be socialized and there is no more effective measure for bringing about this result than letting the school try to solve social problems. Turning over to the schools the issuance of employment certificates and the supervision of children in industry has revolutionized its attitude toward problems of industrial education and of vocational guidance. Giving the school the supervision of delinquents would in the same way revolutionize its attitude toward the group of social problems connected with delinquent children.

REPORT OF THE COMMITTEE ON COURTS OF DOMESTIC RELATIONS

EDWARD J. DOOLEY, JUDGE OF THE COURT OF DOMESTIC RELATIONS, BROOKLYN, NEW YORK, CHAIRMAN

The Committee on Courts of Domestic Relations appointed at the Conference of the National Probation Association held in Kansas City in May, 1918, respectfully reports as follows:

Helen Bosanquet, writing in her book entitled "The Family," says: "It is mainly in recent years that the family as an institution has attracted the attention of the thinker and the historian. It is so intimately a part of life, so inseparable from existence in all normal communities that, like the air we breathe, it eludes observation, and we only notice it when something goes wrong."

The greatness of a nation is founded upon the home. By marriage man and woman assume the dignity of husband and wife and a new relation to society by their membership in the family. The object of marriage should be the procreation of the race, the rearing of children to the honor and service of the Almighty and the welfare of the State. This implies correlative obligations on the part of the State, namely: that all the efficiency at its command should be initiated, amalgamated and set in motion to conserve, correct and reclaim the delinquent constituent units thereof.

Social, judicial tribunals should be constructed so that a full and adequate determination should be had of the rights of the parties in the first instance, and not by the patchwork procedure now in vogue in a majority of the tribunals having jurisdiction of the social problems affecting the family.

We recognize that demoralized homes and incipient criminality go hand in hand; and if the best results for the family are to be obtained it will require strong efforts, patience, enlightenment and spread of propaganda to accomplish the same. But this should not deter us. We know our goal. The social workers of the country are the advance army of humanity. They find the path, and although it may be hilly, rugged and at times filled with boulders, they know that the awakened conscience of the people will sustain them in their efforts to alleviate human ills and

eventually the summit of the mountain will be reached. They are like the barons of Runnymede who knew their rights and exacted them from their sovereign.

The law is a timid maid. Perhaps this is for the best. The system of checks and balances upon which our government is founded tends for conservatism, but that rule of conduct which the consensus of the opinion of our people say is proper, will eventually formulate itself into statute law.

The Family Court has struck a responsive chord in the hearts of our countrymen. Its constituent parts the Domestic Relations and Children's Court should be amalgamated so that the whole family problem should be heard in one court.

Take the process of to-day in these family cases, for instance the practices in the City of New York, as an illustration: Complaint is made to the Charity Commissioner against the negligent husband and father, by the complaining wife. Investigation by the Charity Department follows. If no agreement results there follows requisition to the Domestic Relations Court. There a complaint is again filed, then comes trial in the court, and if the defendant is found guilty, another investigation is made by the probation officer for purposes of judgment, probation, bond or imprisonment. In these disrupted homes the children are usually found wandering abroad and brought to the Children's Court, charged with juvenile delinquency. Arraignment of the children follows. Again an investigation by the probation officer of the Children's Court is made. If the children are committed to an institution the parent is summoned to the Children's Court to pay institution charges for support of the children. If not paid as ordered then they are proceeded against in some instance in the Magistrates Court. If found guilty of nonpayment, they are held for trial in our Special Session Court. All these steps involve separate examinations and investigations. These overlapping investigations could be avoided with greater efficiency in the administration of the desertion problems and less expense to the community, and a combined cohesive force (instead of separate ones) working for the same object—the benefit of the family—could be utilized, with less investigation, if all this energy and

effort were under one court—one family court having full and complete jurisdiction to initiate, investigate and adjudicate on all questions concerning the family from the alpha to the omega thereof.

Your committee is happy to report that knowledge has come to it that the family court is commending itself to the people not only of our own country but also of Canada. The chairman of your committee has (at his request) placed at the disposal of the Rev. J. C. Brandin of Montreal, Canada, a synopsis of the non-support law of the State of New York. He desires to have organized a court whose jurisdiction is based upon the fundamentals of our abandonment and non-support laws. He writes that from a study of the juvenile delinquents cases in the courts of his city he is convinced that a preventive court, in which the parents could be punished for neglect and non-support of the children, is a necessity and would tend to decrease juvenile delinquency.

The Civic Federation of Dallas, Texas also wrote your chairman for a reference to the laws under which the domestic relations courts of the City of New York are organized and the procedure in connection therewith, stating that their organization had under consideration the inauguration of a movement to organize a court of like character. Judge Hoffman, our president, writes the committee that there was introduced in the Legislature of the State of Ohio a bill giving the juvenile courts of that State which are a branch of the domestic relations courts jurisdiction in adoption cases which is in accord with the spirit of our resolutions recommending the organization of the family courts.

The New York State Legislature has pending before it an amendment to the judiciary article of the State constitution, providing that "the Legislature may establish children's courts, and courts of domestic relations as separate courts or as parts of existing courts or courts hereafter to be created and may confer upon them such equity and other jurisdiction as may be necessary for the correction, protection, guardianship and disposition of delinquent, neglected or dependent minors and for the punishment and correction of adults responsible for or contributing to such

delinquency, neglect or dependency and to compel the support of a wife, child or poor relative by persons legally chargeable therewith who abandon or neglect to support any of them. In the exercise of such jurisdiction such courts may hear and determine such causes with or without a jury except those involving felony."

This amendment if passed and acted upon favorably by the people will authorize the Legislature to create social courts with such jurisdiction as will enable them to treat these marital and parental cases, which constitute so deep a sociological study, and underlying which hovers the grim master destroyer of happiness, namely, poverty and ignorance, with a free hand unfettered by limitation as to power of the court either as to matters of equity or jurisdiction. The rule of law applicable to these social courts should be that unless restrained by statute it will be presumed that they have equitable and legal power to do what is deemed to the best interest of these members of the family who call upon such social courts to throw their mantle of protection around them.

The New York Legislature has passed an act (Chap. 339, Laws 1919), which will become a law July first, whereby the neglected wife, child, parent, grand-parent or grand-child will be taken out of the pauper class. The law heretofore has been that all applications for support by the above named from those legally responsible therefor must first be made through the Charity Commissioner, thus placing the neglected kin on the same level as the pauper applicants. The new act entirely divorces the Domestic Relations Court from the Charity Department. It places the neglected wife and child on the same plane as any other persons who are pleading for what they are entitled to, namely: an entrance to the portal of the court—a demand to be heard and enforcement of the remedy accorded them. It gives to the domestic relations court the sole and exclusive jurisdiction to initiate, investigate, try, hear and determine all proceedings and charges in said cases. It makes the abandoned and non-supported person the primary beneficiary of the order in the case and evidence that they are without means shall be presumptive proof of their liability to become a charge upon the public. The person against

whom proceedings are begun shall be taken to be of sufficient financial ability to contribute to the support of the applicant unless the contrary shall affirmatively appear to the satisfaction of the court or judge thereof. This places the obligation where it belongs and avoids the difficulty presented in many of these non-support cases of affirmatively proving, first, that the applicant has no means of livelihood and is unable to earn the same and secondly, that the defendant has means that can be applied to the support of the petitioner.

The New York Legislature also passed an Act (Chap. 338, Laws 1919), which enables the court of domestic relations to have jurisdiction in all cases under the compulsory education law of our State, thus bringing another constituent part of the family life within the jurisdiction of this court.

Thus, progress has been made to fulfill our ideals but complete fulfillment thereof will not be had until one court, the Family Court, shall have full and exclusive jurisdiction of all the legal units which make for the government of the family, so that a normal life will flow therefrom. Your committee fully reiterates and endorses the able report prepared by Judge Hoffman last year on this subject.

Your committee is of the opinion that from the experience of those engaged in social work in connection with the family, the mere examination of the parties in open court does not, in a great many of the cases, disclose the underlying cause of the anti-social conduct of the defendant. The striking frequency of abnormal mental conditions are daily noted in our courts; such as unstable, neurotic, poorly balanced, emotional, defective, stupid, incompetent individuals unable to remain steadily in any one occupation, as well as the egotistical, selfish, cruel, shallow, lazy, instinctive types. Then again are noted the presence of serious physical diseases affecting the whole family life, the welfare of the community and the ability of the individual to earn a living. When one finds that an individual who has been haled into court time and time again for not supporting his family, is suffering from chronic disease, such as Bright's disease, and is in such physical condition as to be unable to earn a living wage, some-

thing more than ordinarily good advice, reprimand and probation or a term of imprisonment is needed. The actions and conditions of such persons call for the establishment of medical and psychopathic clinics in connection with domestic relations or family courts, in order that the problem of the family can be satisfactorily solved as to each individual member thereof. Those individuals causing serious difficulties must be thoroughly understood; the sources and springs underlying their conduct must be carefully gone into and the needs of each individual must be considered.

Your committee is of the opinion that where a father is imprisoned for non-support the State has no right to appropriate unto itself the labor of the negligent father; that the said defendant should be put at such work that will not conflict with union free labor and after deducting the cost of his maintenance the balance should be applied to the support and up-keep of the neglected children.

Your committee is not unaware of the criticism that the courts dealing with the problems of desertion and non-support do not, on the examination and trials of these cases, take notice of the reports of the social workers in respect thereto, because such reports come under the head of "hearsay evidence." The answer to this criticism is that as the State constitutions give the right to a defendant when accused of a crime to face his accusers, and statements as to his criminal acts taken in his absence and without notice to him jeopardises his liberty. A law allowing same to be treated as evidence against him would be unconstitutional.

Your Committee well knows that the conditions of the parties financial and otherwise must be recognized in dealing with these social problems, and outside aid must be given them to properly present their case in court.

A law allowing an investigation by an officer of the court, say the probation officer on an order of the court and on notice to the defendant giving him an opportunity to be present and participate in the examination and making the report of the officer so appointed a record of the court so that the Judge could take judicial notice of the same would probably fulfill the demand of the constitutions in protecting the defendant's constitutional right

and at the same time meet the criticism of the social workers as above referred to. A recommendation with this thought in mind is contained in the report of the Domestic Relations Court of the Borough of Brooklyn, City of New York, for the year 1917.

Your Committee therefore, submits the following supplementary recommendation to those recommended by the Committee on Family Courts at the conference held in the year 1918:

First: That we favor the consolidation of the domestic relations and juvenile courts, so that there shall be one court, the Family Court, which shall have the sole jurisdiction in respect to the family problems both adult and juvenile.

Second: That there shall be attached to each family court medical and psychopathic clinics, for the reasons hereinbefore set forth.

Third: That a defendant imprisoned for non-support of his children should be put at such work as will not conflict with union free labor and after deducting the cost of his maintenance the balance should be applied to the support and maintenance of the neglected children.

Fourth: That such laws be recommended that will allow the report of the officer of a family court appointed by the said court to investigate a family condition to become a record of said court of which judicial notice can be taken.

All of which is respectfully submitted.

Committee:

EDWARD J. DOOLEY, Judge Court of Domestic Relations, Brooklyn, New York, *Chairman*.

PROF. WILLIAM B. BAILEY, Yale University, New Haven, Conn.

CHARLES W. HOFFMAN, Judge, Court of Domestic Relations, Cincinnati, Ohio.

DR. VICTOR V. ANDERSON, National Committee on Mental Hygiene, New York City.

LOUISE W. TOUSEY, Asst. Chief Probation Officer, Municipal Court, Chicago, Ill.

REPORT OF COMMITTEE ON RURAL PROBATION

CHARLES G. GOFF, PROBATION OFFICER, ERIE COUNTY,
CHAIRMAN

The most significant occurrence during the past year in the field of rural probation or in respect to the problem of delinquency in the rural sections is the publication of the report of the Federal Children's Bureau entitled "Juvenile Delinquency in Rural New York" by Kate Holladay Claghorn. This report outlining a study made of the subject of delinquency in three rural counties in New York State, is comprehensive in its scope, intelligently written, shows originality in its method of approach and in the execution of the study. It is earnestly recommended to every probation officer interested in his profession. This study was the result of the action of the Committee on Rural Probation of this Association of several years ago. Preliminary reports of the progress of the study have been made at the meetings of the Association for the past two years by the then chairman of the committee—Prof. Henry W. Thurston.

In order that the value of this report may be brought home to the members of the Association, the committee desires to state a few of the essential points in the study.

The term rural, as used in the report, is taken to mean the towns and villages of less than twelve hundred population. Of course, your Committee on Rural Probation has concerned itself usually with all communities not within the boundaries of cities of first or second class. While no extended explanation of the problems in the urban districts has a place in the study, nevertheless, some of these problems are called attention to as a means of comparison so that the difficulties of the rural workers may be more thoroughly understood and appreciated.

The congested conditions of the city are not, of course, found in the rural districts, and while that is not a problem to contend with, nevertheless, the fact that the children are compelled to grow up in comparative isolation leads the investigators to the conclusion that the monotony of the life in the country has an influence for causing various forms of misconduct—ranging from mischief to crime. Degeneracy is found to be not wholly a product

of the city. Explaining its presence as not wholly due to hereditary causes, the report cites environmental conditions as being a contributory factor. Unsupervised play and the consequent misdirection of the energies of children and the exaction of long hours and often laborious service on farms with the consequent deprivation of opportunities for sociability are also cited as being causes of delinquency.

The report emphasizes the dormant status of the community conscience with regard to modern social methods. The real and valuable place of the church in socializing the country is emphasized, but the report indicates the unequal use of this opportunity. The elimination of the justice of the peace as a judge and probation officer for children is advocated. A constructive suggestion urging the creation of a county juvenile court—which will bring about the establishment of a more consistent judicial policy in the matter of handling these children is offered. In that connection Miss Claghorn makes this significant remark: "This official (justice of the peace) has jurisdiction over a small but perhaps widely scattered population, is elected by the group he serves and need not have had—very often has not had—any legal training or other special qualifications to fit him for the task of giving judgments and making decisions which affect human destinies." Many other helpful facts—including observations on the condition of schools—are presented in the report, which are useful to the probation officers.

The conditions as outlined in the excellent report are very largely found in the rural communities of Erie County, New York, in which the chairman of this committee has had the opportunity to serve during the past several years. Complaints are continually heard of the manner in which the justices of the peace handle the children's cases. Because of the different personal equations found, the task of securing equitable judgments in juvenile cases becomes one of extreme difficulty. The Probation Department in Erie County has a very clear understanding of the problems of the rural communities and is attempting to bring about a more intelligent and socially efficient handling of these problems. The experience of the department to date, emphasizes

the need of a county juvenile court with a unified probation system, proper detention quarters and provision for the examination and observation of the physical and mental capabilities of delinquent children by trained psychologists. A court of this character is now in operation in Chautauqua County, New York, and the experiences of that court, to date, seem to justify the statement that the plan of organization is ideal.

In order that the members of this Association may have a better understanding of the methods used in Erie County, a statement of the organization and administration of these methods might be enlightening. The department now has three probation officers detailed exclusively to work in the rural sections. The county covering an area of about twelve hundred square miles, subdivided into twenty-five townships—in which are included two small cities, seventeen towns and many villages—is divided into three districts with a probation officer in charge of each district. These districts contain a population in all of over one hundred thousand persons—making the problem of delinquency—one of large proportions. There are one hundred justices of the peace, five police justices and two city judges. About fifty of the justices handle criminal cases, although the others have the authority and upon infrequent occasions do so. Adequate appropriations have been made by the Board of Supervisors, for traveling expenses of these probation officers.

Each officer visits the various towns within his district each week. They have traveled thousands of miles during the course of their visitations during the past year. The reporting of the probationers is taken care of by carefully selected persons, who act as volunteer probation officers—delegated to receive such reports. Each town or village has one or more of these volunteer officers. The volunteers are guided or directed by the probation officer in handling the probationers—under the direction of the chief probation officer. All trouble cases are handled promptly by the probation officer himself. Personal, written or telephonic reports are required of the volunteers. These reports are checked up by the district officer each week when he visits the various towns. On the occasion of his visit to the town, the probation

officer visits the home of the various probationers sometimes in company with the volunteer, but usually alone. The most intimate contact is established between the town officials, the clergy, newspaper men and other persons of prominence in the different communities. Stories of timely interest on probation and reports of the work of the department are frequently sent for publication to the country papers. This method of educational propaganda is supplemented by personal talks to clubs, societies, churches, schools and other organizations interested in social service or civic betterment.

The probation officers are frequently confronted with a lack of organizations fitted by training to co-operate with them in the performance of their duties. There is no lack of organizations—there are plenty—but there is a lack of training of the personnel of these organizations which could aid the probation officer in the handling of the work.

Various other methods are attempted to bring about co-operation both upon the part of the magistrates and organizations. Conferences of the justices of the peace are held and are well attended. During the coming summer—at the next conference—the justices intend to organize into a working body, and some interesting developments are bound to occur. It is thought best in the absence of a more desirable court system—to use this method of raising standards among the justices of the peace. Probation literature, together with frequent reports of the progress of the rural work, are sent to the justices and other helpful and necessary literature is given to them. The probation officers are constantly making personal visits, explaining the probation laws and seeking to impress upon the minds of the justices—the principles and ideals of the probation system.

In their efforts to improve social conditions which affect the problem of delinquency in its various phases—they have met with unusual success, both from the clergy and from the school authorities. In one of the third class cities, the officer found a serious condition of delinquency existing—which was almost entirely attributable to the fact that there were no supervised recreational facilities. The aid of the superintendent of schools was enlisted,

and as a result the authorities have equipped two playgrounds and appointed a director—the director being a man chosen by the probation officer. The officer's advice was also solicited and generously given in regard to the equipment and location of the playgrounds, and in other matters pertaining to the organization of the work.

On another occasion, splendid co-operation was secured from a clergyman of unusual social vision, but who had grown somewhat discouraged with the apathetic conscience of his community. It seems that a boy scout troop had been organized in the town sometime before the probation officer came to be a part of the community life, but interest was found to be lagging and the scouts themselves becoming delinquent. The probation officer succeeded in reviving the clergyman's interest and collaborated on plans to give life and vigor to the troop. Within a very short time things changed for the better and the experiences of the scout troop extended to other matters of civic welfare. These are direct gains to the community through the probation service and they emphasize the necessity of probation officers—interesting themselves in community movements.

It might be of interest to the Association to know some of the statistical facts regarding the progress of rural activities. During the past year.

178 persons were placed on probation in
19 different towns and villages by
26 justices.

Only one of the probationers released on probation absconded. A total of \$5,720 was collected by the department for fines, restitution and in family support. Every month shows increased interest by the justices in the use of probation, and a desire to use more thought and care in the treatment of delinquents. "Doubting Thomases" and others who were unalterably opposed to the use of probation, are being won over as the work progresses. The committee has no hesitancy in saying that within a very short time—the treatment of delinquents in Erie County, will be handled in an intelligent and socially efficient manner.

Your committee feels that the work that is being done in Erie

County can be duplicated in other rural sections of the country if the proper energy and planning is used in administering the service. We respectfully recommend the adoption of these effective methods.

Approved:

CHARLES H. GOFF,
HASTINGS H. HART,
GEORGE W. GROVER.

THE DEVELOPMENT OF A STATE SYSTEM OF PROBATION AND PAROLE

REPORT OF THE SUB-COMMITTEE ON PROBATION AND
PAROLE OF THE DIVISION ON DELINQUENTS, NA-
TIONAL CONFERENCE OF SOCIAL WORK

HERBERT C. PARSONS, SECRETARY, MASSACHUSETTS COMMISSION
ON PROBATION, BOSTON

Foreword

Exact information as to the development of probation and parole in the states which have, with various modification, adopted the use of these instruments is difficult to obtain. Only in the very few states which have provided a supervisory commission or other device for centralized direction of the work are there gathered such facts as give a basis for a comprehensive view. In the other states the development has been local, depending upon the initiative of a particular court, of a county or of a municipality, and where this is the case, as it is generally, the extent of the work and the methods employed are revealed only in the records of the office or the court. Hence, a report which would deserve the name as constituting a real survey could be produced only by the expenditure of time and by a comprehensive questionnaire.

The creation of this committee as a permanent one of the Conference opens the way to such study and it may be hoped, if not definitely promised, that in subsequent years its report may present a close review of conditions and attainments. What is now undertaken and is herein submitted is only a generalization upon

the present standing of these functions and suggestion of their claims to a more advanced and more general employment. If they have justified themselves in experience within territorial bounds, then the plea is justified for their universal application and the public interest demands a vigorous promotion of their extension to universal use.

Purpose of Probation and Parole

The primary distinction between probation and parole is perfectly clear but needs frequent re-statement. While the words have been popularly interchanged and while they are not always used definitely even in the statutes, their meaning has crystallized to this point,—that probation is the exercise by the court of its power to place in the hands of an officer responsible to the court of ascertained offenders, with a view to their control and particularly to their reformation; and that parole is the exercise by the government on its administrative side of the power to release persons from penal confinement in the expectation that they will conduct themselves properly, with a view to their restoration to normal relationships. Neither of them carries the color of the old order of clemency or leniency, they are not properly employed as grants of personal favor. That is to say, they are not fantastic or sentimental or prejudiced by any considerations contrary to the public interest in the protection of life and property. They are, to be sure, an expression of a humane purpose as to offenders. They are the legal recognition of the desire to help, to restore, rather than to hurt and pull down. They are the legalized and organized expression of the accumulated opinion that the old punitive, retributive policy was injurious to the state just as it was injurious to the offender. And they have their warrant in the belief that the kindlier attitude has possibilities of bringing about a fuller respect for law and order than is attained by a policy of unmitigated punishment. They are a part, and the major part, of a well ordered, discriminating and constructive plan of correction; and they justify themselves to the exact extent that they prove their worth as correctional instruments.

How the Purpose Is Accomplished

It is no longer an unapplied theory that correction can be accomplished through an out-patient care for the possible inmate of a penal institution. Precisely as the treatment of the physically ill or the mentally disordered is coming to be undertaken outside the confines of institutions, the treatment of the offender has moved strongly in the direction of extra-mural control, coupled with a perfectly definite intent to lend an actual helpfulness under normal conditions of life. Whether the ill to be corrected is one of physical ill health or disorderly behavior, the first essential is a clear understanding of the case,—accurate diagnosis, if you please. As to the jail, as well as to the hospital, if commitment is to be avoided or if release is to be granted, there is the inescapable necessity that there shall be supplied a skilled, faithful and considerate care. Hence, both probation and parole, the accepted substitutes for institutional treatment, are successful only when developed with adequate equipment for investigation, prior to their use, and an ample and competent force for supervision.

Universal Application

In the statutes of practically all the states there is some sort of recognition of both probation and parole. What is written into law is not necessarily introduced into practice but it is taken that legislatures at least have felt the pressure of public opinion that these instrumentalities are not ignored in the legal structure of the American state. The variations in the application of the principle are wide and even in the statutes display a caution against radical departures. The statutory qualifications may be briefly noted to show the lack of logic in the restrained use of a rather new device.

First is the restriction as to the age of the offender. The juvenile court with its necessary accompaniment of probation is common to the states but a full third of them deny the grant of probation to adults. Just as the first steps in building reformatories were the juvenile institutions, so it appears that there is a ready recognition of the warrant for out-door reformation of children but a slower one as to adults. The distinction is false

in theory. It is equivalent to saying that when a person arrives at a certain age, generally a very tender age, the hope of correction by helpfulness is to be abandoned; or, if it is to be indulged, must be fulfilled within the walls of an institution. Ordinary knowledge of human nature includes the fact that it is never too late to undertake a change of behavior, that a man or a woman is never too old to be callous to the appeal of a kindly and helpful interest. Public dealing with the sick or with the poor in the application of remedies or in the stimulation of self-help would never draw an age line. By the same sensible rule, the correctional undertaking, through assistance and guidance, has no ground for an age distinction.

But that probation for adults does not depend upon theory alone is made clear by the already rich accumulation of experience. The building of additional jails has been stopped and cells have been vacated of their adult tenants far too widely to leave in doubt the prudence of the policy of another sort of restraint coupled with assistance. In the states where adult probation has been longest in use, it has assumed proportions far beyond the juvenile and is as freely employed.

In Massachusetts, where the number of cases placed on probation by the courts reaches 25,000 in a year, the percentage of adult cases is 85 and the largest number of persons so cared for is between the ages of 21 and 30, with nearly the same number between the ages of 31 and 40. In New York, in the year 1917, of the 16,991 cases placed on probation, 10,344 were men, 1,268 women, 4,501 boys, 878 girls, the adult percentage being 68.3. Evidence from other states would go to confirm what is indicated in these two, that adult probation, once it gains a foothold, comes to be the major fact as to the state's policy. It is clearly established that wherever the courts are given the opportunity to deal with adult offenders under supervision in lieu of confinement and are equipped with the machinery for its employment, they embrace the opportunity and steadily expand its employment. The courts are under no delusion as to the effectiveness of this instrument. They are led into its use by no careless sentimentality. That they use it more freely and extensively as

experience accumulates is evidence enough that it proves its worth.

It seems needless to canvass the reported results of adult probation cases to support the plea for its extension. Such statistics are indeed illuminating and conclusive. But the case for the wider adoption of the method by every court where offenders are presented may well rest upon the fact, established beyond question, that all the courts which have given it test are using it to a rapidly increasing extent. The experience that convinces the justices who have given the method a trial ought to be equally convincing to those courts which have not yet ventured upon it or have not been empowered by state law so to do.

Another limitation without logic is that which permits only urban courts or those of populous districts to employ probation. The statutes which deny the extension of probation to courts in rural sections simply deny the right of the offender, if he be one of few, to benefits which would be accorded him if he were one of many, and further deny to smaller communities the gain which flows from a scientific and humane dealing with those who offend against them.

Next we encounter the limitations as to the nature of the offense, the denial of its use except as to first offenders and its refusal to persons convicted of certain offenses. First offense, in the sense of being the first appearance of the person on a criminal charge, is without value as a measure of criminality and positively worthless as an indication of exclusive reformability. The search for the elements of offending and the determination of how those elements may be removed is a lame undertaking if it stops with the question, "is this the first time." Statutory limitations are without warrant in the light of experience which undertake to draw a line between the reformable and the hopeless according to the nature of the offense. They ignore the implication of the whole undertaking, that it is the dealing with a person according to his needs instead of according to a single event in his life. Again the mass of evidence goes to establish the wisdom of the courts being fully empowered by its showing of the greater success in dealing with those who are

guilty of precisely those offenses which in another state are set up in the law as bars to consideration for probation. Previous prison confinement, in certain states a legal barrier, is another illogical consideration, whose absurdity is demonstrated in the success of dealing with the repeated occupant of prison cells by the other method and his response to its effort.

Essentials of the Probation Service

Complete accountability to the court is the foundation of the probation service. It would seem to require the judicial appointment of the officers. But that the probation officer should be appointed by and serve during the pleasure of the justice is not a unanimously held opinion among those who have given study to the service. It is thoughtfully advocated that the office is in a measure, at least, administrative and may derive its authority from outside the court without detriment. Whichever view is accepted, a prime essential is that the officer be free from influence which would contravene the carrying out of the court's duty toward the offender. This leads to the assertion that if not appointed by and removable by the court he should be selected under a merit system. No service would suffer more acutely from the intervention of politics.

Wherever the probation service has been established there has come about such an overloading of its officers as to threaten if not actually to impair the quality of its work. The requirements placed upon it as to prior investigation, and, again, as to the quality of the supervision increasingly absorb the time and energy of the officer. But presently there comes, also, such an appreciation of its work that the proportion of cases given to his care grows apace and he is presently struggling with a number of charges so great as to make adequate handling of them impossible. In New York, where the number of paid officers is 197, the number of persons in their care at a given time is 14,552, an average of 73 charges for each officer. In Massachusetts, with her 154 officers and the number of cases at one time, 14,990, the average per officer is practically 100. But these figures by no means reveal the load carried in many instances. It sometimes

rises to as many as 350 persons in the care of a single officer. When it is considered that his services to his charges combine not only restraint but helpfulness and demand a varying number of duties of him, the impossibility of justifying the service is apparent. An unavoidable consequence of such an overload is a lack of that thorough attention which is the most obvious requisite in order to warrant the undertaking. And what is to be apprehended, in the words of the chief adult probation officer of New York City, is that, "the real work of intensive, constructive service will deteriorate into a mere police surveillance."

It is a settled opinion that not more than 50 persons should be in the care of a probation officer. The chief value of that estimate is, as a contrast in theory to what actually exists in fact. In it, however, is locked the most precious truth as to the humanely restraining and upbuilding service that our criminal courts may hope to do. Legislation should provide elasticity as to the number of officers,—an observation that has force by reason of the fact that statutes commonly provide a single officer to a court, or possibly to a county, and make additions to that number difficult, even to the extent of amendment of the law to meet a local situation which has grown beyond endurance. All the social forces,—and there are none that are not interested in the proper development of this work,—should be brought to bear upon legislative or judicial authorities to secure such a corps of officers as could hope to accomplish what it is intended they should do.

Reliance upon volunteer service is showing itself to be mistaken. Accountability in the strictest sense is essential, and accountability is precisely what volunteer service fails to show. The probation service, indeed, has great possibilities of added effectiveness, through linking with other social agencies. But the undertaking must be keyed to a paid and fully responsible official.

The pay of probation officers is notoriously meagre. The hesitation to create a new corps of public servants and open a new draft upon the public treasury operates to a grudging recognition of what these officers may do, even judged by the narrow standard of financial saving. States can well afford to provide such a salary as will call to the service properly equipped persons and

maintain them there so liberally as to free them from harassing thought as to their support. A man in jail is the most useless member of the community and about the most costly. The man at work is one of its best assets. Comparing the cost of jail treatment and probation supervision in the case of the only state as to which the figures are at hand, it costs \$19 to carry a probation case for a year, while the cost of a year's maintenance in jail is \$385. No possible expenditure up to the point of securing a complete and competent probation corps of officers can be other than the wisest economy.

Requisites of Parole

In addition to those points already made as to the probation service relating to its adequate number, its compensation and its freedom from political interference, there are peculiar features of the parole service which warrant comment. The outstanding one of these is that the parole service should be independent of the institution from which the person is released. It is a function which undertakes to remove not only from the restraint of confinement but from association with the penal or reformatory institutions. The conclusion as to fitness for its benefit is not an institutional question. It is grounded on the broadest consideration of the welfare of the person, of the protection of the community from his misbehavior, his restoration to normal relationships and his complete upbuilding. It cannot be reached by any gauge of his conduct while confined, the natural process of measurement used by the institutional official. And, as well, the actual dealing with him in either the case of adult or juvenile is a duty so distinct as to need the highest specialization. Hence, we are led to say that the minimum of the state's equipment for the competent conduct of parole is an independent tribunal to pass upon the question of release, and a separately organized corps of officers for the reconstructive work.

State Control

Because the concern in these two services is a general and not a local one and because the lifting of the standard and the appli-

cation of a consistent, well-ordered policy cannot be secured through any smaller unit than the state, there is need, wherever it has not been supplied, of a state commission to supervise their work. Only two states have thus far so equipped themselves. But their experience amply justifies the broadest claim for added efficiency in the work flowing from their direction. New York made the probation commission very nearly an initial feature in the system. In Massachusetts it came many years subsequently to the requirement of the appointment of a probation officer for every court. The New York Commission has consequently, as one of its objects, the extension of the adoption of probation in courts and communities which have not availed themselves of it, and its efforts in this direction have been a powerful contribution to an enlightened correctional procedure. The Massachusetts Commission has justified itself in the stimulation of the work and the attainment of definite methods by the officers. It is interesting that in the main these commissions have advisory powers only. There is a considerable sentiment for the vesting in such boards of a mandatory control, possibly including the appointment of officers, or the confirmation of the selections by the court and the passing upon their pay. But that this is not essential to their usefulness is amply demonstrated. However moderate may yet have been the development of probation in any state, or even though it has not been undertaken, the most clearly demanded needs will unquestionably be best served by providing the state supervision and promotion by a commission. Those states which have a considerable development of probation and are without such a board have yet to gain the impulse to a high order of service and the correction of sporadic variations, as well as a real economy by providing themselves with the supervisory board.

Do we get a vision of the civilized state with its well-ordered correctional system? It has developed to full effectiveness all the means for the prevention of crime. It has so ordered itself industrially as to upbuild manhood and remove elements of temptation and discontent. It has enlisted all the moral forces to the combat of evil. It has developed its apprehension of offense to

the highest efficiency in a police that acts relentlessly and without fear or favor. It has made its courts the resort for the adjustment of social ills and has given to them the task of the most searching inquiry into the individual cause of wrong behavior. It has provided the equipment for the dealing with man and woman, boy and girl according to the needs of each. Its institutions are for care and treatment, for development and help. It frees from confinement at the moment when the fullest knowledge and the greatest hope shall justify. It returns none to the community unhelped and it does not cease its effort to help at the moment of return.

In such a vision, the value and the function of the instruments of which we talk today take their clearly indicated place. They are an integral part, not a thing distinct. If the plea for them is for the time a special plea, it is so because of a failure yet to recognize their potentialities and to accord them the form and support which considerations of the good of the needy ones and the protection of the community alike demand. First must come a specialized development, the making uniform of the laws of the states, the provision of the juvenile court for every region, the command to the courts to broaden their inquiry as to the cause of offense and the condition of the offender and the focus of attention upon each case as if it stood as the only problem of the court, the equipment of the court with its officer to inquire and to supervise and such a method as will to the fullest possibility bring back the offender to normal place and correct behavior. Over this, in the light of the experience of the commonwealths which have been the fields of full experiment, must preside such supervisory or controlling board as will represent the state's unmistakable concern in a well-guided and efficiently equipped application of the rule of humanity and helpfulness.

THE COUNTY PROBATION SERVICE IN ACTION

JOSEPH P. MURPHY, CHIEF PROBATION OFFICER, ERIE COUNTY,
BUFFALO, N. Y.

Probation to achieve its highest function in the fullest measure must be administered in a positive manner by persons possessing the proper mental attitude and grounded in the basic elements of human relationship. Fundamentally, probation means human friendship, human helpfulness, based on understanding. For that reason it must be individual. It has, of course, a legal structure erected to give it authority, life and power. It is a distinctly social measure, however, and has been the means of socializing our harsh legal procedure. The development of the probation service is one of the remarkable achievements of the last two decades. Born in 1878 but making little progress until the beginning of the present century, it has now spread to every state in the Union, as well as to several of the other progressive countries. It has been accepted by the community as a vital part of our social structure and has developed a preventive as well as a reformative value.

Historically, the first object of probation was to save delinquents from the stigma and other disadvantages and evils of incarceration. It was intended as a substitute for imprisonment. Gradually it advanced, and the second concept established was to gather information concerning the conduct of those released by the court so that in the event of relapses into delinquent conduct, punishment could be exacted. Under that concept the main duty of the probation officer was to keep informed regarding the behavior of his charges. Then a broader and more constructive view came into existence. The emphasis was laid upon its educative, reformative possibilities; its chief purpose being to effect improvement in the social life of delinquents and bring about, if possible, permanent reformation and rehabilitation. This concept remains, but the uneven growth attending the service and the unfavorable conditions under which it has labored in some communities, has hindered its development. The present task of social workers and probation officers, as I see it, is one of extreme

importance—to consolidate the gains we have made, systematize its general truths as established by our present knowledge, and using that knowledge as a working basis, plan for the broader fields of service which we have been able to glimpse just ahead.

Some years ago, a prominent social worker said, "Probation is a process of reformation brought about through economic, religious and moral instruction, mental quickening, physical development and such employment as will place the probationer on a good industrial basis." Any less comprehensive conception of the theory is inadequate and incapable of successful or permanent application. The substitution of surveillance for helpful supervision, the perfunctory enforcement of probationary conditions, the emphasis on the collection of money as a financial asset rather than for its moral significance, will merely create distrust in the minds of the public and effectively serve to retard the movement. And yet in many localities we find this situation existing. The service is being administered in a lifeless, negative manner, for which social workers are largely to blame. Primarily responsible for the creation of this humane, constructive machinery of justice, and realizing perhaps better than any other group its importance to community life, they have abandoned it to politicians or are permitting probation executives to drift helplessly in the sea of political strife. The Probation Service, once established, continues to need not only the moral but the active, aggressive, fearless and intelligent support of men and women with social vision. Their powerful influence is needed in the development of higher standards, in the conserving of the gains made from time to time, in the propagation of the principles and ideals of probation and in the creation of an intelligent body of public opinion to stand behind probation officers.

Although its growth has been great and substantial in many places, nevertheless, as I have indicated, it has been rather an uneven growth. Taken on the whole, the progress so far as the treatment of juveniles is concerned has been more satisfactory than in the case of adults. Some states still fear the use of probation for adults and in felony cases. This feeling is based on tradition and fear rather than the experience of other states.

In New York State, what was once held to be radical has become conservative, and what was held conservative is now reactionary. The judges are given the widest possible discretion in the matter of releasing offenders, the only restriction being in the cases of persons convicted of any crime where the punishment is death or life imprisonment. People are usually timid about reform, and this is especially true among lawyers. Lawyers are uneasy if they depart from what they did yesterday. They dread experiments. This has perhaps served to retard the growth of probation more than any other reason. In our State, however, since the service has demonstrated its efficacy, we now have complete acquiescence and general approval of the service as a necessary and vital part of our court procedure.

There is nothing in our general experience in New York State to justify hesitancy in the application of probation in its broadest sense. This is especially true in Erie County. In the courts of our county, 46-1% of the offenders convicted of felonies are released on probation. The offenses range from manslaughter and the theft of sums of money as high as \$25,000.00, down to comparatively minor and technical crimes. During the past ten years, over three thousand (3,000) persons have been so released and the results in the supervision of those offenders fully justify this policy of the courts. Seventy-three per cent (73%) of those released are eventually discharged as "improved in conduct," and we believe our standard of judgment in this respect is high. Less than five per cent (5%) of those so discharged have ever returned to the courts in the county.

Sometimes it is asserted that the use of probation has a "back-fire" result, that it reacts unfavorably upon the problem of delinquency in the community. We have not found it so in either Erie County or throughout New York State. During the war, we had an extraordinarily fine record for orderliness, especially remarkable in view of the heterogeneous mixture of our population and the complex character of our industrial problems. During the years 1916 and 1917, although probation was used more extensively than ever before—more persons being released on probation than were committed to prison—the conviction for

felonies decreased thirty per cent (30%) while the convictions for minor offenses also showed a noticeable decrease. This is particularly the experience in Erie County, and while I appreciate that the purposeful spirit of the community during the war had a wholesome effect upon those criminally inclined, nevertheless it is obvious that the extensive use of probation in no wise served to increase crime.

The county probation officers in New York State are authorized by law to serve in the Supreme and County Courts, and all other courts throughout the county except courts of original jurisdiction in cities of the first and second class. Consequently, we serve in all of the courts in Erie County coming under this classification.

During the course of each year, 35 different judges place men under our supervision. Our county covers an area of 1,200 square miles and has a population of 650,000. We have distinctly rural and urban conditions represented. Three officers devote their time exclusively to work in the rural communities and travel thousands of miles during the course of the year. We hope next year to have either automobiles or motorcycles to cover these districts. We supervise both adults and juveniles—the juveniles coming exclusively from the rural communities.

While we have a unified system of probation insofar as the treatment of adults in the courts of the county are concerned, nevertheless we lack this co-ordination in the case of offenders convicted of minor offenses in Buffalo, and also in children's cases. Our big need in Erie County is a County Children's Court which would be a branch of the County Court and through which provision would be made for proper detention quarters for all of the children of the county, the appointment of referees to hear children's cases in the various districts throughout the county, thereby obviating the necessity of traveling on the part of children, witnesses, etc., and the other equipment which goes to make up a modern and complete Children's Court. Very little difficulty is experienced in securing adequate appropriations from our fiscal authorities, they are educated in the principles of probation and have confidence in the efficacy of the service, and

fortunately we are provided with practically all the equipment we need.

The ten year experience of the department in its intensive study and supervision of over six thousand offenders has provided a remarkable opportunity to observe the reactions of the various delinquents and the community in general to the probation service. We have analyzed our methods from time to time and the results of our practices introspectively for the purposes of determining our needs and perfecting a methodology that will be sound, practical and useful as a guide. Frankness in admitting our weaknesses and our faults was early accepted as an imperative principle. Insofar as we have been able to define our chief problems, they may be said to center in five very important questions which I shall attempt to analyze and answer by applying concretely the experiences of the department.

The first question is—How can effective adult probation be more extensively used by the courts, and commitments decreased?

The obvious answer to this question is so to develop the service that permanent reformation and rehabilitation can be brought about in the lives of the greatest possible number of our probationers, bringing about thereby greater confidence in the service, both on the part of the court and the community at large. To reach this objective involves a wide range of effort on the part of probation officers in the matter of perfecting their organization in the technique of their procedure. It means, among other things, the intelligent, progressive and scientific analysis of each offender before selection for probationary treatment. In his splendid report of the work of the Magistrates' Courts of New York City, recently issued, Mr. Edwin J. Cooley very significantly quoted the following statement by Franz Joseph Gall, written 117 years ago: "The measure of culpability and the measure of punishment cannot be determined by a study of the illegal act but only by a study of the individual committing the act."

No probation officer can hope to function intelligently or successfully unless he has the co-operation of the court. If the judge assigns offenders to probation without preliminary in-

vestigation as to their fitness; if he places under supervision confirmed criminals, habitual drunkards, prostitutes, professional tramps and mental defectives; if, in short, he abuses the service, effective supervision cannot be accomplished. The court must thoroughly understand the limitations of probationary treatment and the capacity of probation officers. On the other hand, the court must be inclined to consider social values and to dispose of the persons before him on the basis of possible wastage or salvage of potential human energy which is an economic asset to the community. The attitude of the judges in Erie County is aptly illustrated in the remark recently made by one of the Supreme Court Justices when about to sentence a boy of eighteen convicted of a serious sex offense, and who when requested by the prosecuting officer to impose a prison sentence, answered, "But that is a very unscientific thing to do."

The life record of practically every offender convicted in the courts of record in Erie County is thoroughly investigated before sentence and a typewritten confidential report made to the court. Sufficient time is given to make the investigation intensive and extensive in scope, sometimes involving a period of two weeks. The inquiry covers every accessible phase of the offender's life, including his social history and in a great many cases a mental and physical examination of his capabilities. Unfortunately the department has no psychopathic clinic but we do have paid psychologists as well as volunteers who aid us in making investigations. All of the standard intelligence tests are used in these examinations and the reports are extremely helpful to the court. While we cannot consider our progress in this respect as leaving nothing to be desired, nevertheless, as in the aeroplane industry to-day we feel that it is satisfactory at this stage of its development. The State is about to establish a system of mental clinics which will function not only in the courts but in other agencies, and within a very short time we hope the problem will be handled effectively.

The putting into practice our ideas with regard to effecting reformation and rehabilitation in the lives of those who come within our care, we are attempting to develop technique in our

case work that will compare favorably with other social agencies. We believe in the effectiveness of probation as a reformatory agency and feel that when we have taken full advantage of its possibilities, we can probably save at least one-third of the delinquents who are now committed to prison. Is it too much to expect, in view of the success of our Government in its subtle program of morale-making among its soldiers, using as it did the methods long advocated by social workers—recreation, amusement, decent housing, proper health measures, education, industry, etc.—that if the same methods are applied intelligently in the supervision of our delinquents, comparable results could be attained?

Effective case work cannot be brought about unless there is time and opportunity to work out a definitive plan of treatment. No offender in our courts is placed on probation for a period of less than one year, and very often the period is longer. Personal reporting as a matter of discipline is required and strictly maintained. There seems to be some difference of opinion on this point among probation officers and others who are interested in the probation service. We in Erie County feel that it is essential to the service and has a very definite value in the objective phase of the treatment. Like the psychology of bayonet practice on soldiers, personal reporting by probationers has a psychological effect upon the minds of the probationers—inducing respect for the law and the cultivation of regular habits of right living. The department is organized on the district plan, although the assignment of cases is not always made according to district but sometimes on the basis of personality. A minimum standard of visitation is enforced and care is taken to see that the visits are not perfunctory. Prompt and vigorous action is always taken in the event of serious or habitual violations of the conditions of probation. We feel that this is necessary to maintain a proper standard of discipline. The case history of probation officers is entirely typewritten and is under constant study and supervision. In this connection, I would like to point out a few matters of interest in the technique of these case histories.

Every history is begun as follows:

1. Assets.
2. Liabilities.
3. Objectives.

These points are made as comprehensive as possible and the objectives include everything that is believed possible of accomplishment in the individual case. In deciding upon the objectives, four elements in the probationer's life are considered; namely—spiritual, economic, health and social. To attain the objectives, every possible advantage is taken of the foregoing factors. Probation officers realize that religion is a vital moving factor in the life of every individual whether that be a supernatural or an ethical concept, and that religion is the basis of good citizenship. We believe that the love of God and the love of your neighbor because of the love of God is the greatest ideal to set before an individual. For this reason we try to connect up every probationer with the church to which he or she belongs. The closest co-operation between the Probation Department and the churches in Erie County is maintained. The day sheets of the probation officers show 204 instances of church co-operation during the past year.

So far as the economic condition of the probationer is concerned, we realize that "there is no greater moral agency than a sufficient income." We, therefore, use every means at our command to improve the economic condition of our charges. Employers, employment agencies, night schools, labor unions and other agencies which might help in this respect are enlisted and we have been fortunate in securing most effective and loyal co-operation. As an illustration of the methods adopted, let me cite the case of a man who was placed under our care for desertion and who was a marine fireman by occupation. When tested as to his aptitudes, he showed considerable native ability and the probation officer felt that he could be stimulated and his condition improved. He was induced to study books on stationary engineering which were chosen for him by the probation officer, and he subsequently passed an examination for second engineer. He is now working on one of the lake boats in that capacity and his income has doubled since his release on probation. This is only one of many

similar cases. In other ways such as inducing probationers to take out insurance of various description and by cultivating the spirit of thrift as emphasized during the period of the war when we sold \$50,000 worth of Liberty bonds and Thrift Stamps valued at nearly \$3,000—the economic phase of probation treatment is applied.

Some authorities claim that the causative factors in crime are fifty per cent physiological, and the experience of our department rather bears out this contention. Consequently, the case histories show the elimination of physical defects frequently recorded as objectives. In Buffalo we are particularly fortunate in having a splendid system of hospitals and dispensaries. All sorts of co-operation—from the performance of delicate operations to comparatively minor assistance—is rendered by the doctors in the various dispensaries. One hundred and ninety-five instances of such co-operation are recorded on the day sheets during the past year, including Pathological, Dental, Optical, Neurological, Urological and other treatment.

From the standpoint of the social or environmental phase of the probationer's life, a wide range of activity is also indicated by the day sheets. Frequently the improvement of social conditions involves the change of environment, and homes are found for probationers in other parts of the county. The problem here is somewhat varied because we have both representative urban and rural conditions. Recreation, amusements and other social activities are urged through membership in fraternal organizations, playgrounds, neighborhood settlements, church societies, lodges, unions, and in the case of children—Boy Scouts and other children's organizations. Many of the probation officers are actively identified with these different organizations and are in a rather advantageous position in that respect. You can readily see from these facts that the physical development of our probationers is emphasized in the case treatment. In this and in other ways we have tried to make our supervision effective so that the confidence of the community might be secured and that we might be permitted further extension of our work in the supervision of delinquents.

The second question we have asked ourselves is—How can probationary supervision get the quality of intimate friendly aid?

As the success of a salesman depends upon his fibre and adaptability, so the success of a probation officer depends upon the same qualities. The question is largely one of approach which must be determined upon as the circumstances indicate. The establishment of a sympathetic understanding between the officer and his charge and the expression of a sincere and convincing desire to be the offender's friend, are fundamentals of prime importance in the probation service. Many years ago, Abraham Lincoln said what to me sums up the whole attitude of a probation officer towards his probationer. He said, "When the conduct of man is designed to be influenced, persuasion—kind, unassuming persuasion—should ever be adopted. If you would win a man to your cause, first convince him that you are his sincere friend—such is man and so must he be understood by those who would lead him even to his own best interests."

The question of approach, while essential as a beginning, is not all that is necessary to establish the intimate contact needed. A probation officer must know and understand personalities, which he can acquire by self-analysis and experience. He must have imagination so that he will be able to adapt himself to the point of view of his probationer, and he must be able to scrutinize and evaluate intelligently the influences which surround the life of the man under his care. The careful assignment of cases by the executives in charge of the various probation departments has a bearing on this matter. While I appreciate that it is not entirely practical in some of the larger cities to assign probationers according to personality and that for the sake of expediency they must be assigned according to district, nevertheless, in the smaller communities this can be readily accomplished.

Of course, no matter how energetic, how tactful or earnestly sincere in his efforts a probation officer may be, he cannot hope to establish intimate contact if he is overloaded with cases or weighed down with clerical work which keeps him confined to his office and deprived of the opportunity to do his field work. The probation officers of New York State went on record at their

last conference held in December as being in favor of a maximum of fifty cases. This, it was felt, is the greatest number that a probation officer can effectively supervise. A school teacher is not expected to teach on the average more than this number and no probation officer should be expected or asked to do it. In Erie County the average is between 50 and 60 probationers to each officer. The relationship established as a result is a friendly one and the officers have the time and the opportunity to cultivate this friendship. The clerical assistance in the office is adequate and the records, forms and other statistical matter are arranged so as to avoid duplication and to eliminate as much unnecessary clerical work as possible.

The personal friendship established between the probation officer and the probationer, however, is not all that is necessary to bring about improvement of conduct in the life of the latter. The probationer must be brought into intimate contact with community life, with his normal fellow beings. This can be done through lodges, trade unions, neighborhood organizations, churches, etc. Probation officers who realize this need in the treatment of their delinquents may often co-operate with organizations that are engaged in welfare work or have potentialities in that direction. Organizations that have done effective war work can in some cases be convinced that they have a responsibility insofar as these delinquents are concerned. As a matter of fact, the reformation of these offenders is not entirely the probation officer's responsibility. It is a community responsibility and the probation officer's success in the final analysis will depend upon the degree of co-operation the community renders in the way of sympathetic, wholesome and well equipped environment and activity. Unfortunately, in Erie County this form of co-operation has not been most effectively utilized, although in many instances good results have been attained. We are particularly fortunate insofar as the trade unions are concerned for the reason that the offices of the various unions are located in the same building with the Probation Department, and co-operation is easily secured. The lodges, civic societies, businessmen's clubs and neighborhood organizations have not as yet realized their responsibility in this

direction and the task of probation officers and social workers is to awaken their conscience in this regard.

What should be the more effective arrangement between paroled men and the probation system?

It is conceded that the parole system on the whole as in operation in a great many states is absurdly inadequate to carry out its functions. The statistics are sufficient proof of this statement, and inasmuch as most of you are more or less familiar with the statistics, I need not trouble you by reciting them. In order to get effective case supervision, the parole system should be co-ordinated with the probation service, and the supervision as co-ordinated should be administered with the county as a unit. Many crimes are committed by paroled men who are released in the various communities throughout the country practically penniless, friendless, jobless and homeless. These people cannot be supervised at a distance of several hundred miles by letter. What they need is a strong, kind, helpful friend at the time of distress. In Erie County the Probation Department supervises a large majority of the men and women released from the state penal institutions to that locality. The supervision of these individuals is carried on in exactly the same manner as the probationers are supervised. Homes are secured for them upon their release, positions are found, investigations of home conditions are made and reported to the wardens of the various prisons, and other work in connection with the supervision of these cases is performed that is very helpful to the paroled men. The experience of the department with these paroled men, and the experience generally throughout the county with men who are not paroled through the department, convinces probation officers that there is no more pressing need in the whole correctional field than the development of a properly co-ordinated parole and probation system.

How can the probation department directly aid in improving general social conditions in the community?

While the probation system primarily is a reformatory agency and comes after the conviction of the offender, nevertheless it has a preventive effect upon crime. Probation officers must admit

in the last analysis that the probation work in reality is but hospital service. We deal with socially mal-adjusted persons. Our supply will not be lessened unless we discover the root causes of the trouble and seek to remove those causes. Of course, individually, probation officers cannot hope to combat the problem successfully or to eradicate these causes of crime. In unity of action and purpose, however, there is strength and, consequently, there are three ways in which probation officers have opportunities to aid in removing these provocative social conditions:

1. CO-OPERATION WITH OTHER AGENCIES

Mary Richmond in her splendid book, "Social Diagnosis," speaks of co-operation in this way: "Co-operation—the active principle of social effort. We will get it only when we offer more of it to our sister agencies than we ask in return." In this statement is expressed the method by which probation officers can co-operate with other agencies. By offering themselves as being available to aid in the fight for civic betterment, they can secure assistance. We appreciate this principle in Erie County and we have tried to live up to our understanding in that regard. Every member of the department is a member of the Social Workers Club of Buffalo. The speaker is President of that Club and was for two years, and until recently, Secretary of the Social Welfare Conference consisting of a group of seventy-three co-operating agencies—every agency in Buffalo that is in any way interested in the field of social effort. Some of you may perhaps know this conference as "The Conference that does things," as stated by Mr. Almy in his published article in the Survey of several months ago. Active co-operation with the other social agencies is maintained and all cases are registered with the Bureau of Confidential Exchange. The Chief Probation Officer has been a member of a District Committee of the Charity Organization Society for some years, and the speaker has had the privilege of being Chairman of one of those committees during the past year.

The department also maintains the closest sort of co-operation

with the Y. M. C. A., and the speaker at the present time is serving upon a committee of that organization whose function is to study the "Under-privileged Boy of Buffalo." The Red Cross, churches, fraternal and business organizations, including the Chamber of Commerce, Rotary Club, etc., are called upon from time to time and are found very helpful in the supervision of cases. For sometime past probation officers in Erie County also have actively co-operated with the State Health Department and the United States Public Health Service in the educational campaign against venereal disease. In these and other ways we have tried to make our service more effective by making it united with the other social forces in the community.

2. INFORMING THE PUBLIC

Advertising is one of the fundamental principles of successful business. While probation officers have nothing to sell, nevertheless they depend upon the public for financial and moral support. In order to secure this support, they must educate the public in the principles and ideals of their profession which can be done if the many and varied methods open to them are utilized. The most effective publicity secured in Erie County is through the seven dailies and the fifteen country newspapers. Stories of human interest, feature stories and what is known as "news" stories, are published from time to time in our efforts to interpret our job to the community. The papers of Buffalo and Erie County are most generous in their co-operation and the only difficulty we have is in keeping the volume of publicity within reasonable limitations. Every probation department has a fund of tremendously interesting material which can be tactfully written so as clearly, aggressively and positively to make known the ideals and standards of the service. In the matter of official correspondence, great care is exercised to "put across" the aims and purposes of the service whenever possible. Annual reports, magazine articles, talks to business organizations, women's clubs, church societies and various other methods are utilized to create an intelligent body of public opinion with regard to the service. Practically every probation officer knows and understands the value

of these things. We do this work in Erie County and I am convinced that unless probation officers want to fail because of the very effectiveness of their efforts, they must interpret that task in an understandable way to the community.

3. STUDIES OF DELINQUENCY AND REMOVAL OF CAUSES

In the great laboratories of medical science, studies and experiments are being constantly carried out in order to discover and remove the causes of physical suffering. In the Probation Departments—the laboratories of delinquency—the same process of study and experimentation should be carried forward. When these causes are discovered and the influences which in any way bear upon them are evaluated intelligently, they must be courageously, thoroughly, yet tactfully, made known to the end that community life may be bettered thereby. This is a responsibility which the probation officer cannot evade without rendering the probation service less effective than it should be and eventually bringing about a lessening of confidence in it on the part of the public.

For instance, we all know that one out of every nine marriages in this country ends in divorce, and we realize the menace of this situation to family life, but are we sufficiently active in pointing out to the community the results of the evil as reflected in the records of our criminal courts. In like manner, other causes of crime, either direct or contributory, should be placed in the spotlight of public gaze. Probation officers have a most unusual opportunity to detect the cancer spots in community life and aid in their elimination. What we have done in Erie County in this respect is best illustrated by the action of a probation officer working in the rural section and who, after a short study of the problem of delinquency in a third class city, decided that the lack of supervised recreation was responsible for most of the juvenile crime. He prevailed upon the educational authorities to establish two playgrounds and was called upon for assistance in the choosing of the equipment as well as a director for the playgrounds.

How are we to secure and keep competent men and women in probation work?

First of all we must dramatize the service and we must make it professional in character. In other words, we must take it out of the category of "political jobs" and make it attractive as an honorable, an absorbing and worthwhile community task. It must be vital in character, vigorous in action and progressive in its personnel. Probation officers and social workers must constantly seek to improve the standards of the service and to develop the technique of its procedure. The compensation for the position of probation officer ought to be made attractive. In Erie County we have practically convinced the fiscal authorities that a minimum standard of \$1,500 is necessary in order to obtain competent service. This will insure fairly high grade officers, but unless we can provide a safeguard against removal for political reasons, this would be of little value. For that reason I believe that if probation officers were secured and retained through the process of civil service examinations, the position would continue to be considered as a desirable and honorable calling.

Among the other administrative methods adopted to bring about the development of higher standards and insure the retention of competent officers is the weekly staff meeting which obtains throughout the country in practically every progressive organization. The staff meeting is the "melting pot" of ideas and the clarifier of probation thought in every probation organization. It has a tremendous educational and psychological effect upon the personnel of the organization. Informal examinations on probation matters and other problems of social work; attendance at lectures; courses in schools in sociology, if convenient; attendance at state conferences and visits to institutions and other places of educational value, all have a tremendous effect upon the morale of probation organizations and greatly tend to increase the standards of the workers. I have purposely left unsaid the greatest force in the probation service tending to bring about the securing and retention of competent officers, namely, the State Probation Commission, because that has been so well presented to you this morning by Mr. Parsons.

In summing up, then, our activities in Erie County, let me say that we have emphasized the fact that the purpose of probation is to transform delinquents into useful, active members of society rather than merely to incarcerate them as inert and helpless enemies. We have won the confidence of the courts and are rapidly winning, through our publicity methods, the confidence of the general public. We have developed a constantly advancing technique in our individual case work. We have gained the cooperation of other social agencies, and in many ways our zeal in that direction has caused the other agencies to look to us for leadership. We have cultivated among our workers an appreciation of the dramatic possibilities of our joint labors, and we have justified our existence in so many ways in Erie County that probation has become accepted as an institution where a few years ago it was itself on probation.

The confidence reposed in probation in our community is perhaps best exemplified by the recent action of a supreme court justice. Faced with the problem of what to do with a man who had been for twenty years a criminal, this justice debated long and earnestly. Convicted of numerous petty crimes and now at the early age of thirty-five years, after conviction for his fourth felony, he faced the possibility of a long term in prison. The justice instead placed him on probation in our custody. Whether we shall succeed in piercing this adamant shell, in rekindling the spark of hope in this sodden soul, in restoring the delinquent to a life of renewed usefulness, rests on the lap of the gods. This much we know,—the ancient method of incarceration has been tried again and again in his case and it has failed miserably. It is the climax of our opportunity and success in this case will mean the crowning of our highest endeavors.

Probation in action, so far from being harmonious with probation in theory, is to my mind the crystallization in very deed and truth of those high hopes and glowing dreams each one of us has known of taking those first advancing steps, hesitant, cautious, timorous, if you please, but nevertheless actual, forward steps toward that great day when society in full consciousness of its imperative duty to the bruised, unhappy children of unwell-

come birth and sordid environment, shall strive with the gentle alchemy of sympathetic understanding to find for them an easement of the social maladjustment, a worthy task in the universal workshop and a safe haven in the great, mother-bosom of that new civilization whose sun is even now rising in the east above the wreck and ruin of a world but yesterday gone mad with hate.

ACTIONS OF THE CONFERENCE

President Hoffman appointed the following committees:

On Nominations

Maude E. Miner
Joseph T. Moss
James P. Ramsey
Louis N. Robinson
George A. Heaney

On Resolutions

Joseph P. Murphy
Henry P. Richardson
Mrs. Mary E. Paddon

A sub-committee of the Executive consisting of Herbert C. Parsons, Maude E. Miner, Frank E. Wade and Charles L. Chute, presented revised By-Laws for the Association. These were read by Mr. Parsons who moved their adoption in place of the present By-Laws. They were adopted unanimously. (See By-Laws following).

Charles T. Walker presented a resolution on Federal Probation which was referred to the Committee on Resolutions.

Upon motion of John T. Cotter, it was voted that a committee on Standards of Probation be appointed by the incoming president. Such committee shall send out a questionnaire throughout the country and prepare a report on standards of probation to be presented at the next annual conference. Carried.

A vote of thanks was adopted to the Secretary for his work during the past year.

The Committee on Nominations reported and their report was adopted unanimously and the nominees declared elected for the ensuing year. (List of Officers elected follows.)

The report of the Committee on Resolutions was adopted unanimously. (See Resolutions following.)

CHARLES L. CHUTE,
Secretary.

OFFICERS AND BOARD OF DIRECTORS

ELECTED AT THE ANNUAL CONFERENCE, ATLANTIC CITY,
MAY 31, 1919

President,—Edwin J. Cooley, Chief Probation Officers, Magistrates' Courts, New York City.

First Vice-President—Herbert C. Parsons, Secretary, Massachusetts Commission on Probation, Boston.

Second Vice-President—Charles L. Brown, President Judge, Municipal Court, Philadelphia.

Third Vice-President—Julia C. Lathrop, Chief, Children's Bureau, Washington (resigned).

General Secretary and Treasurer—(Elected by the Board, June 2, 1919), Charles L. Chute, Secretary, State Probation Commission, Albany.

BOARD OF DIRECTORS*Four Year Term*

Maude E. Miner, Secretary, New York Probation and Protective Association, New York City. (Elected Chairman by the Board, June 2, 1919.)

Frederick P. Cabot, Judge, Juvenile Court, Boston.

John J. Gascoyne, Chief Probation Officer, Essex County, Newark.

Three Year Term

Louis N. Robinson, Chief Probation Officer, Municipal Court, Philadelphia.

Frank E. Wade, Attorney, Buffalo.

Charles W. Hoffman, Judge, Domestic Relations Court, Cincinnati.

Two Year Term

Mrs. Joseph T. Bowen, President, Juvenile Protective Association, Chicago (resigned. Miss Mary M. Bartelme, Juvenile Court, Chicago, elected by the Board in her stead).

Arthur J. Todd, Director, Training Course for Social and Civic Work, University of Minnesota, Minneapolis.

Samuel D. Murphy, Judge, Juvenile Court, Birmingham, Ala.

One Year Term

Julian W. Mack, Judge, U. S. Circuit Court of Appeals, New York City.

Jessica B. Peixotto, University of California, Berkeley.

William W. Dey, Judge, Juvenile and Domestic Relations Court, Norfolk, Va.

Edwin J. Cooley, Ex-officio.

RESOLUTIONS

ADOPTED AT THE ANNUAL CONFERENCE, ATLANTIC CITY,
MAY 31, 1919

WHEREAS, We have learned with deep regret of the death of a distinguished member and contributor of this Association, Mr. Richard Stevens, Chief Probation Officer of Hudson County, New Jersey;

RESOLVED, That the Secretary be instructed to express the deep sympathy of the members of this Association to the bereaved family.

WHEREAS, The examinations under the draft law have revealed the fact that more than one third of the young men examined were physically unfit for full military service; and

WHEREAS, Statistics of the Life Extension Institute and of the life insurance companies show this to be only one evidence of a physical degeneracy prevalent among men and women of all ages; and

WHEREAS, The strenuous requirements of modern life have an irresistible influence away from natural health giving habits and vitalizing physical activities; and

WHEREAS, These unnatural tendencies can be offset only by the provision of specially planned and directed programs of physical training and wholesome recreation for both children and adults; therefore be it

RESOLVED, That the National Probation Association favors State and Federal legislation to establish in the schools a universal

system of physical education, including instruction in the principles of health, periodic physical examinations and health giving activities; and that this organization shall support every practical effort to enlist in such activities adults and young people not enrolled in the schools.

RESOLVED, That the President be authorized and directed to appoint a committee to approve and present in Congress at an early date the bill providing for the use of probation and the appointment of probation officers in the Federal courts of the United States.

RESOLVED, That the President be instructed to appoint the following committees for the ensuing year: Committees on Children's Courts, on Courts of Domestic Relations, on Rural Probation, on Laws and Court Decisions, and on Extension of Probation.

RESOLVED, That the thanks of the Association be extended to the officers and speakers, to the hotels and others contributing to the success of this Conference.

BY-LAWS

ADOPTED BY THE NATIONAL PROBATION ASSOCIATION ON
MAY 31, 1919

ARTICLE 1—NAME

The name of this organization shall be the National Probation Association.

ARTICLE 2—OBJECTS

The objects of this Association are:

To study and standardize methods of probation and parole work, both adult and juvenile;

To extend and develop the probation system by conferences, legislation, the publication and distribution of literature, and in other ways;

To promote the establishment of children's courts, domestic relations and family courts and other specialized courts using probation.

ARTICLE 3—MEMBERSHIP

The Association shall consist of active members, contributing members, sustaining members and patrons. Active members shall pay dues of two dollars a year. Contributing members shall be those who contribute five dollars or more annually to the Association. Sustaining members shall be those who contribute twenty-five dollars or more annually to the Association. Patrons shall be those who contribute one hundred dollars or more during a single calendar year.

ARTICLE 4—OFFICERS

The officers of the Association shall consist of a President, First, Second and Third Vice-Presidents, a General Secretary, a Treasurer, and a Board of Directors. The President and Vice-Presidents shall be elected by ballot at the annual meeting of the Association. They shall serve one year and until their successors are elected.

ARTICLE 5—BOARD OF DIRECTORS

The Board of Directors shall consist of twelve members, so elected that the terms of three shall expire each year, and the President of the Association who shall be a member *ex-officio*. At each annual meeting of the Association three directors shall be elected by ballot. The Board shall elect its Chairman and the General Secretary and Treasurer of the Association.

ARTICLE 6—COMMITTEES

A Nominating Committee consisting of five members of the Association shall be appointed by the President each year to nominate the officers to be elected by the Association. Such standing and special committees as may be authorized by the Association shall be appointed by the President.

ARTICLE 7—MEETINGS

The annual meeting of the Association shall be held on the third Tuesday in May, or on such day as may be determined by the Directors. Special meetings may be held as determined by the Directors. Ten members shall constitute a quorum. Meetings of the Board of Directors shall be held as it may determine. Five members shall constitute a quorum of the Board.

ARTICLE 8—DUTIES OF DIRECTORS

The Board of Directors shall have general direction of the work of the Association and shall administer such funds as the Association may have. It shall report to the Association at the annual meeting and at such other times as the Association may require.

ARTICLE 9—AMENDMENTS

These by-laws may be amended by a two-thirds vote of the members of the Association present at any annual meeting, subject to the approval of the Board of Directors.

